82d Congress
2d Session

COMMITTEE PRINT

HEARINGS

BEFORE THE

PRESIDENT'S COMMISSION

ON

IMMIGRATION AND NATURALIZATION

SEPTEMBER 30, OCTOBER 1, 2, 6, 7, 8, 9, 10,
11, 14, 15, 17, 27, 28, 29, 1952

Printed for the use of the Committee on the Judiciary

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HOUSE OF REPRESENTATIVES

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PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION

Philip B. Perlman, *Chairman*
Earl G. Harrison, *Vice Chairman*
Msgr. John O'Grady
Rev. Thaddeus F. Gullixson
Clarence E. Pickett
Adrian S. Fisher
Thomas C. Finucane

Harry N. Rosenfield, *Executive Director*

REQUEST FOR TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, D. C., October 23, 1952.

Hon. PHILIP B. PERLMAN,
Chairman, President's Commission on
Immigration and Naturalization,
Executive Office, Washington, D. C.

DEAR MR. PERLMAN: I am informed that the President's Commission on Immigration and Naturalization has held hearings in a number of cities and has collected a great deal of information concerning the problems of immigration and naturalization.

Since the subject of immigration and naturalization requires continuous congressional study, it would be very helpful if this committee could have the transcript of your hearings available for its study and use, and for distribution to the Members of Congress.

If this record is available, will you please transmit it to me so that I may be able to take the necessary steps in order to have it printed for the use of the committee and Congress.

Sincerely yours,

EMANUEL CELLER, *Chairman.*

REPLY TO REQUEST

PRESIDENT'S COMMISSION ON
IMMIGRATION AND NATURALIZATION,
EXECUTIVE OFFICE,
Washington, October 27, 1952.

Hon. EMANUEL CELLER,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN CELLER: Pursuant to the request in your letter of October 23, 1952, we shall be happy to make available to you a copy of the transcript of the hearings held by this Commission. We shall transmit the record to you as soon as the notes are transcribed.

The Commission held 30 sessions of hearings in 11 cities scattered across the entire country. These hearings were scheduled as a means of obtaining some appraisal of representative and responsible views on this subject. The Commission was amazed, and pleased, at the enormous and active interest of the American people in the subject of immigration and naturalization policy.

Every effort was made to obtain the opinions of all people who might have something to contribute to the Commission's consideration. All shades of opinion and points of views were sought and heard. The response was very heavy, and the record will include the testimony and statements of some 600 persons and organizations.

This record, we believe, includes some very valuable information, a goodly proportion of which has not hitherto been available in discussions of immigration and naturalization. It is of great help to the Commission in performing its duties. We hope that this material will be useful to your committee, to the Congress, and to the country.

Sincerely yours,

PHILIP B. PERLMAN, *Chairman.*

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HEARINGS BEFORE THE PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION

WEDNESDAY, OCTOBER 8, 1952

CHICAGO, ILL.

ELEVENTH SESSION

The President's Commission on Immigration and Naturalization met at 9:30 a. m., pursuant to adjournment, in room 237, Federal Building, 219 South Clark Street, Chicago, Ill., Hon. Philip B. Perlman, Chairman, presiding.

Present: Chairman Philip B. Perlman, and the following Commissioners: Msgr. John O'Grady, Rev. Thaddeus F. Gullixson, Dr. Clarence E. Pickett, Mr. Thomas G. Finucane.

Also present: Mr. Harry N. Rosenfield, executive director.

The CHAIRMAN. The Commission will come to order. Our first witness for this morning is Mr. Eduard D. Gallen.

STATEMENT OF EDUARD D. GALLEN, VICE PRESIDENT, LATVIAN RELIEF, INC.

Mr. GALLEN. I am Eduard D. Gallen, vice president of Latvian Relief, Inc., 5523 North Broadway, Chicago, Ill., which is the organization I represent here. That organization has about 7,000 members.

I have a prepared statement which I should like to read.

The CHAIRMAN. You may do so.

Mr. GALLEN. Mr. Chairman and other members of this, the President's Commission on Immigration and Naturalization, because of the many calls, messages, etc., received daily at our offices, and because of our personal knowledge of conditions in a few parts of the world from recent visits overseas, there is no doubt in our minds at Latvian Relief that the free world is looking to America for guidance. As long as the United States helped the DP's, many other nations did too. The United States stopped helping them—most of the other nations stopped helping them too. In fact, the free world is very disappointed whenever and wherever American moral leadership is failing or lacking.

Leadership is most definitely needed in regard to the millions of refugees, remaining DP's and expellees. Among them are many gallant soldiers, fighters for freedom, who have upheld our own American principles in spite of tremendous odds behind the iron curtain and elsewhere.

Many countries have been and still are overpopulated, and therefore can render very little, if anything, in the way of assistance to these

suffering and homeless millions. If no further assistance is given by other countries which can and should do so, many thousands of these people will perish, the cause being plain starvation. The Kremlin knows all that and is making the best use of this situation. Their unholy propaganda machines are blaring out daily—"You see, we told you so. The goodness and so-called liberty and justice for all is nothing but capitalist propaganda. Actually they are dealing with people worse than Hitler did. He killed them, but these capitalists put them in camps and then starve them to death, etc., etc."

It is plain as it can be that we cannot afford to fall into this kind of Communist propaganda and therefore must do something to assist these DP's, refugees, and expellees.

While we cannot and should not attempt to feed or buy off the so-called free world, we must without fail prove to the whole world that we mean what we preach and that our principles are high and worth more to us than anything else.

One way to achieve this, without additionally burdening our taxpayers is by opening our immigration doors for at least another 300,000 to 350,000 DP's, refugees, and expellees. This number is small, of course, but it most definitely will represent a good start, and other countries no doubt will wish to follow this gallant example, as many countries did the last time our DP program began operating.

Before the last DP bill was passed, there were those who said—"We cannot afford to help. We are short of housing, short of work, and short of money, which is badly needed for reconstruction programs, etc." But there were also those who said, what the Good Book says in Luke 6:38—"Give, and it shall be given unto you; good measure, pressed down, and shaken together, and running over, shall men give unto you. * * *"

Thank God our Congress passed the so-called DP bill through which approximately 300,000 were admitted to this country.

Let us examine what has happened. Today we have more housing than in 1948 when this bill was passed. We have more employment and more money. We spent approximately $19 million in order to bring these DP's over, but have received from them in taxes approximately $51 million back, and there is more money coming in daily.

That, of course, is not all. A great number of former DP's have been and are fighting in Korea, bleeding and dying for America and the principles for which it stands; thus not only showing gratitude for what the American people have done for them, but moreover, saving many American-born boys, who otherwise would have had to bleed and to die there.

We have been repaid in many other ways too numerous to mention. One thing, however, is clear, instead of losing we have gained, gained, and are still gaining. "We have given and it was given to us, good measure, pressed down and shaken together and running over."

In view of all this, Latvian Relief, as well as the approximately 18 Latvian organizations of Chicago, firmly and unquestionably believe that American interests can be served best if an emergency bill in regard to special immigration is passed by our Congress as soon as possible. In fact, such a bill is long overdue. This bill should admit to this country, within a period of approximately 3 years, at least another 300,000 to 350,000 refugees, DP's and expellees. These people

should be allowed to enter the United States of America on a nonquota basis. The existing quotas should not be mortgaged, and in the case where mortgaging was done in order to operate the just completed DP program, the quotas should be unmortgaged or released at once, because some nations have been mortgaged now for 200 years or more, thus excluding these people from emigrating through regular immigration channels—while other nations have never wanted to use the quotas which were allotted to them. This, of course, is very unjust and un-American, and therefore there should be no quota mortgaging. This would be strictly an emergency immigration bill and should be looked upon as such.

The bill should give preference to the reuniting of separated families such as parents and children, brothers and sisters, etc. It should also give preference to those who, in the just passed program, remained in the so-called pipeline, but because of lack of visa numbers, could not enter this country.

The new bill could be operated approximately the same way the old one was, or better yet, the United States Government could take over the operational duties in its entirety and pay traveling expenses from place of origin to destination.

The recipient DP's, refugees, or expellees could repay some of the Government's expenses within a period of 3 years. The repayment could be as follows: Every person over 16 years of age should repay the Government $100. Everyone between the ages of 12 and 15 could repay the Government about $50 whereas children under 12 should not be required to pay anything. This repayment should be over and above the regular taxes which each and every citizen or permanent resident of the United States must pay.

This bill should also give an opportunity to the voluntary agencies to assist the Government in securing housing and job placements which the voluntary agencies will undoubtedly be glad to do.

In concluding we must repeat, that to fail to pass such a bill would mean to fail America and the whole free world in the ideals for which we all stand. It would mean to surrender our principles to Communist ideology and to fall in the hands of their propaganda machine. It would mean to do one of the most unjust and inhuman things America has ever done. It would mean that American leadership and prestige would get an enormous blow from which it may not be able to recover for many years to come.

On the other hand, if we help these people by opening our immigration doors to them, we will gain respect before the whole world, other nations most likely will follow our example, and we will benefit in the long run financially and many other ways.

Therefore, we again most strongly urge that an emergency immigration bill be passed as soon as possible.

The CHAIRMAN. Are you satisfied with the new immigration law?

Mr. GALLEN. Mr. Chairman, I am not really sufficiently familiar to make an unbiased and a good statement. I can, however, say that I have read some of the provisions in this legislation and one of the provisions which I have studied rather carefully has been the quota system, and we can state that the quota system will not be able to deal with the present emergency situation which at the moment exists in Europe.

The CHAIRMAN. Are you principally interested in the emergency situation?

Mr. GALLEN. That is correct.

The CHAIRMAN. Is there anything else you wish to state with respect to the permanent immigration policy of the United States?

Mr. GALLEN. Not at this time, Mr. Chairman.

The CHAIRMAN. Thank you.

Mr. Palmer Di Giulio, you are scheduled next.

STATEMENT OF PALMER DI GIULIO, MEMBER, IMMIGRATION AND NATURALIZATION COMMITTEE OF THE SUPREME LODGE, ORDER SONS OF ITALY IN AMERICA

Mr. DI GIULIO. I am Palmer Di Giulio, 150 South Ottowa Street, Joliet, Ill. I represent the immigration and naturalization committee of the supreme lodge, Order Sons of Italy in America, of which I am a member. The organization has between 100,000 and 200,000 members and is represented in the 47 States and the District of Columbia.

I have a statement I wish to read first, and a prepared supplement containing detailed comments on the law which I wish to submit for the record.

Mr. DI GIULIO. My name is Palmer Di Giulio. I live at 150 South Otta Street, Joliet, Ill. I am a lawyer by profession and for the past 21 years have made a specialty of immigration, deportation and exclusion matters. Citizenship and naturalization cases, too, have been part of my work. During my practice I have had occasion to observe the operation and functioning of our immigration and naturalization laws as well as to study the various bills relating thereto introduced in Congress during the past 5 years. Moreover, I have studied and carefully checked both S. 2842 and the Immigration and Nationality Act of 1952.

I am here as a member of the immigration and naturalization committee of the supreme lodge, Order Sons of Italy in America, a fraternal organization with upward of 2,000 lodges in 37 States of the United States, including the District of Columbia.

The Order Sons of Italy in America is vitally interested in our immigration and naturalization laws.

Our membership is much disturbed by the implications of the recent Immigration and Nationality Act, because such act is discriminatory and in many respects unjust. Some phases of this new law lend themselves to great abuse for it confers upon the Attorney General, the Immigration and Naturalization Service, and the Foreign Service of the United States, broad discretionary powers of a judicial nature. Moreover, a cursory reading of the act reveals that it contains most of the prejudices and hostility of those charged with the administration of it. For these and other reasons we feel that the law needs a thorough revision—a revision which makes our immigration and naturalization laws liberal, humane and just.

The purpose of our committee is to study immigration and naturalization problems and to make recommendations as to how laws applicable thereto can be improved. As American citizens, our main concern is to have such laws applicable to immigration and naturali-

zation which are most beneficial to the Government of the United States, so that our country can maintain friendly and cordial relations with other nations. Therefore, we feel that our Government can derive much good from liberal, humane, and just immigration laws. Furthermore, since the United States may be compelled to defend itself against hostile totalitarian powers, we feel that our country needs more people to preserve itself and to help save western civilization.

Since a study of population trends shows that the population of the United States is not reproducing itself, it is important for us to consider an adequate population growth as part of our defense program. We should bear in mind that population growth in our possible enemy countries exceeds by far the growth of our own. If this trend continues we may find ourselves greatly outnumbered and too weak to face the dangers to our existence. Although at present we have large resources and the greatest industrial potential, the power of numbers is still a decisive factor to the well-being of our national existence and to our leadership in the modern world. Heretofore, the normal growth of our population has been made possible through immigration. Since 1924, however, such normal growth has been arrested by our restrictive immigration laws. Possibly the time has come for us to reexamine such restrictive laws and to adopt a more practical policy in immigration so that our source of manpower may always be adequate.

Since the national origin quota system established in 1924 and continued in force by the Immigration and Nationality Act of 1952 has proven to be illogical and discriminatory against people of Eastern and Southern Europe, such a quota system should be revised. As we know that only 44 percent of the authorized quota numbers are actually used each year, the effect of such a quota system is that some countries have too many quota numbers available, while others do not have enough. Simple justice demands that such a system be changed so that such available quota numbers be distributed more equitably and the unused quotas be made available to countries where such quota is oversubscribed. Furthermore, possibly the 1950 census should be used in lieu of that of 1920 to determine the quotas for the various countries.

In the allocation of the quota numbers the McCarran law fixes certain categories and establishes preferences for aliens having certain skills needed in this country. We feel the administration of this phase of the law lends itself to administrative abuse, for the doings of political administrative officials is not always inspiring. These officials often are easily swayed by clamorous groups prejudiced against immigration. Furthermore, the act is not clear as to who and how those aliens are to be selected. We believe much confusion will arise in the administration of the act regarding admission of aliens possessing required skills and have our misgivings about the matter. Possibly the allotment of quota numbers should prefer ascendants and descendants, brothers and sisters, and surviving spouses of deceased citizens; also spouses and minor children of legally resident aliens; also adopted children of citizens where the adoption takes place prior to January 1, 1953. The establishment of such preferences would be quite logical because we could judge the quality of the immigrant by the reputation and standing of his sponsors.

Another objectionable feature of the Immigration and Nationality Act of 1952 is that it categorizes our citizens. A native-born citizen is in a class by himself, for he has privileges and immunities which protect him against loss of citizenship. But, a naturalized citizen is constantly in danger of being harried by denaturalization proceedings and loss of citizenship if he takes up residence abroad. This situation, we believe, should be corrected and all citizens placed at an equal footing. In this connection it is well to bear in mind that many of our most dangerous subversives are native-born citizens of the United States. The law as it stands categorizing citizens is most harassing and unjust. We cannot understand why the United States Government, so generous in many ways, should be so inconsiderate of its naturalized citizens. Nearly all countries of the world acclaim their citizens or subjects. Our country, on the other hand, seems to want to shun them—particularly if they are naturalized. Possibly, our provincial thinking should be deleted from our laws.

As to dual citizens, we feel that the Immigration and Nationality Act goes too far. Possibly the hostility and prejudice of our Foreign Service has had its sway upon the mind of our Congressmen. While we do recognize the dual citizen problem as a difficult one, we feel that the policy of generous liberality prevailing before the adoption of the act was the proper policy for our Government. As time passes there will be fewer and fewer dual citizens, so that the problem will ultimately solve itself. All immigrants who today come to the United States for permanent residence have no intention of going back to their native country or elsewhere. The periodical trips of former days to the native country to raise children is no longer in vogue.

With reference to deportation proceedings, the Immigration and Nationality Act is unduly harsh in its requirements of prolonged residence before administrative relief can be granted. The old law, improved by making undue hardship to the alien involved a ground for affording him administrative relief, should have been retained in the new act. The prolonged residence of the deportable alien before the privilege of suspension of deportation is available, is unreasonable. Too many circumstances can arise pending deportation which make it imperative that the alien be not deported. Furthermore, the requirement that suspension of deportation be approved by a congressional resolution is unduly dilatory and irksome. What difference does it make in a proper case if suspension is granted by the simple act of the Attorney General without such a congressional resolution? We trust the Attorney General with so many discretionary functions, why not trust him with the function of making final orders of suspension? We see nothing wrong in this.

In the Immigration and Nationality Act our Congressmen, possibly under pressure from those charged with the duty of administering our immigration and naturalization laws, have granted broad discretionary powers not only to the Attorney General but also to our Foreign Service. We feel that the placing of such broad powers at the disposal of such authorities goes much too far. In some instances the power conferred is so great as to vest into such authorities powers which are entirely judicial. Possibly judicial powers should not be conferred too freely upon administrative officials, much less to consular officers.

Although we do not disagree with the granting of power to immigration officers to determine deportation and exclusion cases, we feel that the rights of the alien should be more amply protected by proper appeal directly to the Attorney General or to the Board of Immigration Appeals. In the Immigration and Nationality Act the Attorney General is given so many functions that he cannot humanly attend to all of them. He must perforce delegate them to assistants, who possess special skill to perform them. Why not create a Board of Immigration Appeals by law rather than to leave the creation of it to the discretion of the Attorney General? This would be more in accord to government by law rather than to government by men.

In this statement we have tried to stress the most objectionable features of the Immigration and Nationality Act of 1952. To some extent, we have offered suggestions as to how our immigration and naturalization laws can be improved. But this statement is far too incomplete to adequately cover such a broad and intricate subject as immigration and naturalization. To do justice to the subject, prior to the writing of this statement, I wrote various comments on the Immigration and Nationality Act. These comments, though not in form required by your rules, we present to you herewith. We hope you will consider them for what they are worth in making your report to our President.

Possibly this statement, long as it is, would not be complete unless we say a word about the displaced persons and the refugee problem in certain areas of Europe. We favor legislation which seeks to relieve such a problem. Humanitarian reasons impel us to take such a stand. We trust you will seriously consider this matter, for immediate relief is imperative.

In behalf of the supreme lodge, I thank you for affording us the privilege of discussing immigration, naturalization and the refugee problem with you. We hope your work will be successful and fruitful.

The CHAIRMAN. If the sentiment against the new act is as you have expressed it in your statement, how do you account for the law having been passed by the Congress over the President's veto?

Mr. DI GIULIO. Well, possibly Congress did not have all the facts and the implications of the act were not brought to the attention in a proper manner.

The CHAIRMAN. Did your organization appear at any of the hearings held by the McCarran-Walter committee?

Mr. DI GIULIO. I believe our organization did appear and we offered suggestions and, if I may say so, some of our suggestions were incorporated into the bill but not enough.

Commissioner PICKETT. Does your organization accept the present quota system as a just and fair basis on which to accept citizens into this country?

Mr. DI GIULIO. No; absolutely not.

Commissioner PICKETT. What would be the attitude of your organization if the quota system were readjusted so that it didn't favor more northern Europeans in preference to southern Europeans?

Mr. DI GIULIO. We would be inclined to favor it if it were readjusted and some provision were made for the use of unused quota numbers which go to waste under the present law.

Commissioner PICKETT. What type of quota system would your organization favor?

Mr. Di Giulio. Well, I believe the best approach to that would be to use the 1950 census in lieu of the 1920 census. That in itself would bring about some sort of readjustment.

The Chairman. Would you explain again the view of your organization on the national origins theory of the quota system?

Mr. Di Giulio. We wouldn't favor any such a quota system of that sort, because we feel that all human beings are created equally.

Now, of course, possibly the quota, instead of being based upon national origin as it is today, under the census of 1920 or 1950, possibly could be based upon the population of these various countries involved and a certain percentage of population, based upon their nearest census, could be used as a basis of determining how many immigrants should come from such a nation.

The Chairman. Do you think there should be any differentiation in the quota between people from Europe and people from other parts of the world, such as Asia?

Mr. Di Giulio. I presume it would be rather correct for the United States to sort of favor those countries which make up a part of permanent civilization, and it might have to be discriminatory in some respects. Of course, if we are going to have a hostile Asia and other parts of the world, we certainly don't want to go out all the way and say we will take you in on equal terms. You have to draw the line of demarcation somewhere; but I am not in a position to say where.

The Chairman. What is the position of your organization with respect to distinguishing between the nationals of different countries of Western Europe or Southern Europe or Asia, and any place else in the world under the quota?

Mr. Di Giulio. We feel people of Europe should be treated alike, no matter whether they come from east, south, or north, or anywhere else.

The Chairman. Do you think they ought to be given priority over the nationals of other countries?

Mr. Di Giulio. In a sense, yes; but that question is a hard one to deal with.

The Chairman. Thank you, Mr. Di Giulio.

Mr. Di Giulio. I would like to submit for the record a prepared supplement that examines the law in more detail.

The Chairman. It will be inserted in the record.

(There follows the prepared supplement containing comments on Public Law 414, submitted by Mr. Palmer Di Giulio on behalf of the immigration and naturalization committee, Supreme Lodge, Order Sons of Italy in America:)

Comments on Public Law 414, Eighty-second Congress

1. Section 101 (c) (1): This subsection limits adoptions to those made within the United States before the adopted child attains the age of 16 years. I believe this subsection should be changed to limit adoption to the maximum age fixed by law in the State or Territory where such adoption takes place.

Also, the subsection should permit children adopted abroad prior to January 1, 1953, to come to this country regardless of age, where such children were adopted in good faith by citizens of the United States.

Comment. I know of several cases where American citizens were induced to adopt close relatives abroad upon being assured that such adopted children could emigrate to the United States. No doubt such citizens were misinformed, but Congress could certainly help those citizens. Personally, I believe it should

be done because there are not too many cases and the January 1, 1953, damper would protect the change from being abused.

2. Section 101 (f) (2): This clause provides that "one who during such period has committed adultery" should not be considered as a person of good moral character. Without confessing to any such acts on my part, I believe this clause is absurd, for it gives to enforcing officers a chance to pry into the gallantries of prospective citizens and give vent to the officers' whims and prejudices. In an age where public morals are much too loose, this is a catch-all net.

3. Section 101 (g): This subsection is much too harsh, because a person who is ordered deported and pays his own expenses shall be considered deported for the purposes of the act. This subsection works against the interest of the United States, because the alien involved most certainly will insist upon being deported at Government expense. I believe aliens who depart voluntarily and at their own expense after being ordered deported should not be considered deported, except in those cases which are against the interest and security of the United States.

4. Section 104 (a): This section gives the Secretary of State authority to determine nationality of those not in the United States. In a way this section goes too far and lends itself to capriciousness and abuse. The personnel of the Foreign Service of the United States is not too much in sympathy with certain types of citizens, particularly those who were naturalized and those who derive citizenship or nationality from naturalized citizens. This kind of a law, because it can be abused, should be frowned upon.

5. Section 202 (a) (3): This subsection provides that an alien born in the United States shall be considered as having been born in the country of which he is a citizen or subject, etc. This subsection possibly is unconstitutional. Conceivably, children born to diplomats while in the United States may be considered as foreigners, but the law should be specific as to this and not leave the matter in doubt. Under the rules of international law there are many privileges and immunities granted to certain foreigners, provided they fall within the categories specified by such rules. Statutory law, in my opinion, should specifically specify which aliens born within the United States are to be considered as aliens.

6. Section 201 (a): This subsection should have the year 1950 in lieu of the year 1920 as the basis for the quota system. The census of 1920 as the basis for the quota system discriminates against eastern and southeastern Europe. Moreover, according to Congressman Celler, the annual quota based upon the 1920 census is used only to the extent of 44 percent; 56 percent of such quota remains unused each year. Since no provision is made for the transfer of such unused quota to those countries which have exhausted their quota, not enough immigrants reach the United States. As the studies conducted by Frank W. Notestein, director, office of population research, School of Public and International Affairs, Princeton University, demonstrate that since our population will soon become static and will not reproduce itself, it is necessary to meet this situation by permitting more people to come from Europe than heretofore. This is necessary because our population must keep abreast with that of our possible enemies and as a measure of self-preservation. Congressman Celler alluded to this problem in the legislative history accompanying the majority report in favor of the enactment of the Immigration and Nationality Act of 1952.

7. Section 202 (a) (1): This subsection is not entirely clear as to how qualified quota immigrants whose services are determined to be needed urgently, etc., are to be selected and by whom they are to be sponsored. Under the old contract labor section (8 U. S. C. A. 136) wholesale sponsorships by inducements or promises of employment were done away with. The question which arises under the new law is this: How and by whom are those immigrants whose services are urgently needed to be sponsored? Must corporations do it? It would seem that this new part of the law is going to be difficult of application. Entirely too much reliance is placed upon the judgment of the Attorney General and of the Secretary of State. These two officers usually are not in office long enough to have clear ideas as to what to do to replace needed skills. Also, being politicians, they are apt to listen to the siren's song of clamorous groups.

Possibly, a well-defined policy of individual sponsorship should be instituted with regard to the importation of particular skills. Also, a sensible system for the dissemination of information regarding the needed immigrants possessing the necessary skill should be devised.

8. Section 207: This section provides that whenever a quota immigrant is found not to be a quota immigrant, no immigrant visa shall be issued in lieu

thereof to any other immigrant. Query: Why is our Government so niggard in issuing visas under these conditions? Apparently the more visas the Foreign Service can kill the better.

9. Section 212 (a) (14): This subsection is particularly bad for it befogs the classes of skilled or unskilled immigrants who are to be admitted into the United States. This subsection can be arbitrarily and capriciously applied and it can be abused unduly. Apparently the proponents of such a text are playing politics with the moods of rabble psychology. There is nothing logical in such a provision. What was said of the Attorney General and of the Secretary of State in paragraph 6, can be repeated with greater emphasis about this subsection. Furthermore, the impact upon the immigrant who is on his way to the United States only to find himself excludable at a port of entry, is unduly humiliating. Our experiences with rent and price controls, which have changed with the moods of the administrators, demand that greater caution should be exercised in adopting basic legislation.

10. Section 212 (a) (17): This subsection is unduly severe in those cases where an alien has fallen into distress and has been removed from the United States. Many persons fall into distress through disease or misfortune; if in distress one year, they may be entirely self-supporting the next. A consular officer when application for a visa is made by such a deported person, can handle the situation quite well. The consent of the Attorney General for readmission is entirely unnecessary.

11. Section 212 (a) (25): This subsection is harsh in that it requires that an immigrant be able to read and write some language or dialect. I don't know why our Government should insist on a literacy test as a requisite for admission into the United States. Many illiterate but honest people have come to the United States and contributed to the progress of this great Nation their useful toil. The fallacy of this policy lies in the fact that learned people do not like to work with a pick and a shovel or at jobs which require willingness and a strong back. Had we depended upon cream puffs to build railroads, we would still be traveling by oxcart.

12. Section 212 (d) (8): This subsection provides that the President, by proclamation, may suspend immigration under certain conditions. I have no fault to find in such a provision if wisely aplied in appropriate situations. But such a power should never be exercised to prevent reunion of families, unless the situation is so serious as to make it mandatory.

13. Section 213: This section requires that either a bond be posted or a post office account established to guarantee that an alien shall not become a public charge. This provision seems a little harsh and the requirements should only be met when the prospective immigrant is physically unable to earn a livelihood because of natural defect or disease.

14. Section 241 (a) (4): This subsection provides that an alien may be deported if at any time he is convicted of two crimes involving moral turpitude. Since the term "moral turpitude" has no uniform accepted meaning under the laws of the various States, at times an act may involve moral turpitude in one State and not in another. Possibly this would result in making an alien deportable in one State, while in another State an alien may commit identical acts and escape deportation. This provision should be clarified and made more intelligible. The old law requiring two convictions and two sentences of 1 year or more was more logical.

15. Section 241 (a) (9): This subsection is illogical because violation of status is predicated upon frivolous acts and activities which are quite innocent in themselves as to be unobjectionable. Recently in one of my cases a $500 bond was forfeited because the nonimmigrant worked a few days while here as a temporary visitor. In her case, she just went to work to be with new friends which she had made during her visit. What was wrong with her working a bit? To have such provisions into the law, lying is encouraged. If a nonimmigrant is going to stay in the United States for any length of time, such nonimmigrant cannot spend time entirely in idleness or in nonproductive activities.

16. Section 241 (a) (16) and (17): These two subsections provide penalties which are entirely too drastic for the nature of possible offenses under the Alien Registration Act. Some violations under such act are entirely too trivial to subject the offending alien to deportation.

17. Section 242 (e): This subsection seems to be quite drastic in that an alien who fails to depart following the entry of a deportation order, in certain given cases, is deemed guilty of a felony and considered a felon. But this provision, if used properly, can be made workable without doing too much injustice.

18. Section 244 (a) (2) and (3): These two subsections are an improvement over the old law, but the length of residence of 5 years is entirely too long. Far too many things can happen within a shorter period than 5 years to make suspension of deportation not only desirable but necessary. To some extent (such as in nonimmigrant cases) the harshness of the foregoing provisions is tempered; but there are far too many cases where the requirement of residence for suspension purposes cannot be met. Section 245 favors nonimmigrants. The privilege of adjustment of status under section 245 should include other cases also where the Attorney General is of the opinion that deportation of the alien would result in exceptional and extremely unusual hardship to his spouse, parent, or child who is a citizen or alien lawfully admitted for permanent residence. The two provisions of section 244 should be revised.

19. Section 244 (b), (c), and (d): These provisions require that the Attorney General make a report to Congress as to cases where suspension is applied for. The requirement of a congressional resolution to effect cancellation of deportation is entirely too dilatory. Also, the requirement suggests lack of confidence in the Attorney General on the part of Congress. The anomaly seems to be that in some respects Congress has implicit and absolute confidence in the Attorney General and in the Secretary of State and in other respects it has no confidence at all. If the Attorney General were required to keep up-to-date records on all suspension cases, Congress or congressional committees could at all times check upon such cases to see what is happening in deportation cases. To consume the time of more than 500 Congressmen in a suspension-of-deportation case, is not only too expensive but absurd as well.

20. Section 249 (1): As I suggested before, a record of admission should be made after the alien, no matter how he entered, has resided continuously in the United States no less than 15 years or possibly no less than 20 years. As the provision stands now, July 1, 1924, is entirely too remote to make such a record. If an alien has resided in the United States for more than 15 or 20 years, he already has deep roots in the United States. In a sense, if immigration officers are not able to catch up with aliens within 15 or 20 years, then possibly they are not on the alert. Again, since such aliens could then apply for suspension, the Government would save expensive deportation cases by the simple device of recording their admission.

21. Section 266 (b): This subsection makes an alien deportable if he fails to comply with some of the minor requirements of the alien registration law. Of course, there may be cases in which failure to comply with the provisions of the alien registration law is done with impunity, but the risk of deportation is something too drastic in cases of mere oversight.

22. Section 301 (a) (7): This subsection provides that a person born out of the geographical limits of the United States of a citizen and an alien parent must reside in the United States at least 10 years after the age of 14 and before the age of 28 in order to be a citizen and national of the United States. This requirement is quite new and possibly much too drastic. It reveals a prejudiced and hostile feeling toward our otherwise nationals and citizens. This provision lays the foundations for discrimination between native-born citizens and those who are born abroad.

23. Section 301 (b): This subsection provides that a national or citizen of the United States at birth under paragraph of subsection (a) shall lose his nationality and citizenship unless he comes to the United States before he attains the age of 23 and shall immediately after such coming be continuously present in the United States for at least 5 years. This provision is certainly too drastic and unduly discriminatory. Predjudice and hostility are too obvious in such a provision. Why should the United States shun its citizens so much? Subsections (a) and (b) extirpate dual citizens and many others. But, why?

24. Section 309 (a) (b) (c): This section makes absolutely no provision for acknowledgment of a child born out of wedlock. By requiring legitimation, there is absolutely no possibility for the putative father to acknowledge his own child. I know of a case where a child was born from a union between a brother and a sister. The brother was a United States citizen and the sister a Canadian by birth. In this case ligitimation was impossible because marriage between the two was unlawful and absolutely void. The child was found in the United States contrary to law, but acknowledgment by the father under the laws of North Dakota prevented its deportation. Certainly the child was not responsible for the way he came into the world.

Possibly, section 309 could be humanized so as to require simple acknowledgment pursuant to law for those cases in which marriage between the mother of

the child born out of wedlock and the putative father is prohibited by law as being incestuous or such marriage cannot be legally celebrated.

25. Section 312: This section requires that an applicant for naturalization be able to read and write and speak words in ordinary usage in the English language. This requirement is much too drastic, because many illiterate immigrants do quite well for this country and for themselves. Usually they are hard-working people who raise big families and behave much better than the educated ones. These humble immigrants do a lot of hard and useful work, which the educated ones shun and consider below their dignity to do. In my long experience among immigrants, I think it is a sad mistake to be too rigid with the literacy requirement for prospective citizens.

26. Section 320: This section limits the age in which a child can acquire citizenship, under the conditions specified therein, only if the alien parent becomes naturalized before the child reaches the age of 16 years. Why not make the age 21 years?

27. Section 322: This section provides that a child, under the conditions specified therein, may be naturalized before he attains the age of 18 years. Why not make the age 21 years in this case too? What harm is there?

28. Section 323 (a) (2): This subsection requires that the child be adopted before he attains the age of 16 years. This should be changed to the attainment of the age at which adoption is permissible under the laws of the State or Territory in which it takes place.

29. Section 328 (a): This subsection requires that an applicant for naturalization must have served honorably in the Armed Forces of the United States for a period or periods aggregating 3 years. I believe the period should be reduced to 2 years and the time in the Reserves should be counted in computing such service. Under present conditions, it is very difficult for an alien to serve 3 years. I know of cases where persons have been inducted only for short periods—1 year or less each time.

30. Section 328 (a): In this subsection too the period of service should be cut to 2 years.

31. Section 329 (a): The privilege of becoming naturalized under this subsection should be extended not only to those who have and are now serving in the Korean war, but also to all of those aliens who are now or have heretofore, since World War II, served in the Armed Forces abroad. In a true sense, World War II has not ceased. It is still going on at least abroad in the Far East and in Europe. We cannot be too generous with those who risk their lives that the rest of us may live and thrive in peace.

32. Section 332 (a): Literacy and ability to read and write the English language should be deleted from requirements for naturalization.

33. Section 340: The provisions of this section are much too rigorous with reference to revocation of naturalization. The effect of this section is most terrifying to naturalized citizens. It seems that our legislators and administrative officials are quaking with fear and are afflicted with the psychosis of wanting to arrogate to themselves more and more powers. This section makes those poor naturalized citizens of more than a half century ago, when laxity in naturalization was the rule and not the exception, apprehensive and restless. Although millions of naturalized citizens have given their sweat and blood to our country, still they remain branded by the stigma of inferiority which seems to pervade our immigration and naturalization set-up.

Possibly, instead of our government being awkward and frantic with our immigration and naturalization laws, it should adopt statutes of limitations wherein it declares by positive law that naturalization certificates issued say before the year 1920 or 1925 shall be conclusively presumed to be valid and as having been lawfully obtained. This would be a step in the right direction.

34. Section 349: This section makes loss of citizenship or nationality an easy matter. The provisions of the law with reference to native-born citizens is more liberal with reference to such class retaining nationality or citizenship. As far as naturalized citizens are concerned, well that's another matter. Again the stigma of inferiority brands the naturalized citizen. The section does not attempt to protect those naturalized citizens or dual citizens who were involuntarily inducted in the armed forces of foreign states or were compelled to vote at foreign elections under duress. Possibly our country is doing a lot of harm to itself by adopting these selfish provisions into its laws.

35. Section 350: This section deals a death blow to dual citizens, unless such citizens take advantage of the provisions which permits them to come to the United States before they attain the age of 25 years, after having complied with the provisions of the act. Well, another case of shunning.

Although the dual citizen problem is quite perplexing, I believe it should be solved somewhat differently than section 350 provides. This new law favors those in the lower age brackets and neglects those who already have reached advanced age. The drastic change which this new law makes is bound to do much harm to many of our dual citizens. I have had occasion to assist dual citizens of much advanced age and succeeded in having them come over to this country. In most instances these dual citizens had to work for years and years before they could establish their claim to United States citizenship. To foreclose this class of citizens from coming into the United States and leaving the door ajar for much too short a period of time, will undoubtedly cause many hardships.

I know of a native-born citizen who was taken to Italy when 2 years old. The man not only had his troubles and tribulations protecting his American citizenship from the Italian Government, but he had to struggle for years to retrace his birthplace and obtain documents necessary for his repatriation into the United States. By accident he found the address of a deceased person here in Joliet and wrote to him. The letter reached the son of the deceased and he enlisted my cooperation in solving the case. Although we found his birth record, for many months we were unable to find someone here in Joliet that could identify him. At last we found a man who knew the family and was able to identify our citizen, which identification was necessary for him to obtain United States passport so that he could return to his native country.

The difficulties encountered in the case mentioned were not imaginary but real.

36. Section 352 (a): This subsection makes a naturalized citizen lose his citizenship if such citizen takes up continuous residence in a foreign state or in his native country. No corresponding provision for loss of citizenship is made for native-born citizens. Why the difference? Here again stigma attaches to a naturalized citizen. I know of many cases where the return to the United States on the part of our naturalized citizens was prevented by reasons beyond their control. In my opinion the 3-year limitation is entirely too short and I believe a proper perspective demands that our laws be more liberal so far as loss of citizenship is concerned.

37. Section 354: This section provides that section 352 shall not apply to those who shall have had residence in the United States subsequent to naturalization for 25 years and have reached the age of 60. The only objection I have to this provision is that the time should be much shorter, say 10 years, if at all.

38. Section 358: This section possibly goes too far in vesting power to cancel certificates of citizenship upon a diplomatic or consular officer to pass upon the citizenship of a person who happens to be in a foreign country. This can happen when the consular officer has reason to believe that such person has lost his nationality or citizenship. The only check there is in that such a diplomatic or consular officer shall report to the Secretary of State. This apparently is an attempt on the part of our Foreign Service to arrogate to itself the power to cancel citizenship certificates without court action as heretofore.

39. Section 402 (b): This subsection provides a fine up to $5,000 or imprisonment up to 5 years or both for a person who refuses to testify in a naturalization case. This kind of punishment is much too severe for such an offense.

GENERAL COMMENT

For the information of our Immigration and Naturalization Committee I should like to say that the new Immigration and Nationality Act has many good features and in the foregoing comments I have tried to point out many of its defects. The new act can stand a lot of improvement, however, for it reflects prejudice, hostility, and discrimination. The act should be humanized in many respects.

With reference to section 201 (a), which sets forth the quota system under the new act, the Joint Committee of the House and Senate had this to say:

"The committee has considered the advisability of substituting the results of the 1940 or the 1950 census in lieu of the 1920 census basis of the mathematical computation for the purpose of establishing quotas for the quota areas of the world. Having extensively explored the practicability of such substitution, the committee has decided to abstain from recommending it at the present time. It has been found that the analysis of the 1940 and the 1950 census figures has as yet not progressed to a point which would make it possible to repeat the computation job performed between 1924 and 1929 for the purpose of determining the size of immigration quotas based on the national origin principle.

"However, recognizing the fact that a revision of our immigration quotas might be justified in the future, the committee has requested the Bureau of the Census to undertake an appropriate analysis of the 1940 and the 1950 census figures and to submit the results for the committee's consideration (Congressional and Administrative News, July 20, 1952, p. 2790)."

The foregoing quotation shows the thinking of the Joint Committee on the important matter of the quota system. I am quite sure that by stresssing the necessity of substituting the 1950 census for that of 1920, favorable results can be obtained during the next session of Congress.

In the additional views submitted by Congressman Celler (Congressional and Administrative News, supra, pp. 2850–2851) the following statement appears:

"The Immigration Act of 1924, establishing the annual quotas for countries based on a computation of approximately one-sixth of 1 percent, presumably reflects composition of national origin of the inhabitants of the country in the year 1920. Due to the rigidity of our quota system, during the 27 years the present quota law has been in effect, only 44 percent of the possible quota immigrants have actually been admitted. Of the total number of 154,000 annual quotas permitted under the law, 65,700 are allotted to Great Britain; 25,900 to Germany; and 17,800 to Ireland. Every other country having a quota is accorded a quota allotment of less than 7,000. This startling discrimination against central, eastern, and southern Europe points out the gap between what we say and what we do. On the one hand we publicly pronounce the equality of all peoples, discarding all racialistic theories; on the other hand, in our immigration laws, we embrace in practice these very theories we abhor and verbally condemn. In the meantime, because Great Britain and Ireland barely use the quota allotment, a large percentage of the 154,000 annual quotas go to waste each year. They are nontransferable. The simple, practical solution, which it seems to me could easily be adopted without even going so far as to disturb the national origin system which is so deeply entrenched (unjustifiably), would be to take the unused quotas and distribute them among countries with less than 7,000 quota allotments in the same proportion as they bear to the total quota pie.

"It is important that we do so in terms of our own productivity and growth. If we take the long-range view of the position of the United States in the world, we must recognize that our rapid rise to world power during our 176-year history was based upon our population growth from 4 million to 150 million, and that this growth was largely the result of immigration. In the years ahead our population is headed for a stable plateau which means an aging population; that is, fewer young persons and more old persons proportionately in the total population. The rate of population growth in the United States is slightly below that required to reproduce itself. The American rate between 1933 and 1939 was 0.96. Compare that with the rate of Russia alone, which is 1.70. The population forecast for the United States in 1970 is 170 million people. The population forecast for Russia alone in 1970 is 251 million. The implications are clear. * * *

"It must be noted that immigration is further restricted by the mortgaging of future quotas by the Displaced Persons Act."

So much for Congressman Celler's comments.

In the veto message of the Immigration and Nationality Act, President Truman had this to say:

"The over-all quota limitation, under the law of 1924, restricted annual immigration to approximately 150,000. This was about one-seventh of 1 percent of our total population in 1920. Taking into account the growth in population since 1920, the law now allows us but one-tenth of 1 percent of our total population. And since the largest national quotas are only partly used, the number actually coming in has been in the neighborhood of one-fifteenth of 1 percent. This is far less than we must have in the years ahead to keep up with the growing needs of our Nation for manpower to maintain the strength and vigor of our economy."

Further on the President continues:

"The bill would sharply restrict the present opportunity of citizens and aliens to save family members from deportation. Under the procedures of the present law, the Attorney General can exercise his discretion to suspend deportation in meritorious cases. In each such case, at the present time, the exercise of administrative discretion is subject to the scrutiny and approval of the Congress. Nevertheless, the bill would prevent this discretion from being used in many cases where it is now available, and would narrow the circle of those who can obtain relief from the letter of the law. This is most unfortunate, because the

bill, in its other provisions, would impose harsher restrictions and greatly increase the number of cases deserving equitable relief.

"Native-born citizens who are dual nationals would be subjected to loss of citizenship on grounds not applicable to other native-born American citizens. This distinction is a slap at millions of Americans whose fathers were of alien birth.

"Children would be subjected to additional risk of loss of citizenship. Naturalized citizens would be subjected to the risk of denaturalization by any procedure that can be found to be permitted under any State law or practice pertaining to minor civil lawsuits. Judicial review of administrative denials of citizenship would be severely limited and impeded in many cases and completely eliminated in others. I believe these provisions raise serious constitutional questions. Constitutionality aside, I see no justification in national policy for their adoption."

Since immigration and naturalization are vital matters, great care should be exercised to see that equitable and just laws are enacted. The new Immigration and Nationality Act, since it affects so many persons, requires correction that it may be made equitable and just. As it stands now, it incorporates all the hostility and prejudices of our Immigration and Naturalization Service and of our Foreign Service.

The composite make-up of our country is a good example of how many different peoples from all over the world can live happily in one big nation. The loyalty and desirability of these various peoples has been amply demonstrated during the last World War. Why are we, why is our Foreign Service so much afraid of as to want to build an iron wall around the United States? Why do our governmental officials desire to arrogate to themselves more and more powers?

A lot more could be said about the Immigration and Nationality Act, but I am not going to say it. In this paper I have attempted to point out those provisions in the act which are most obnoxious and need revision. I fervently hope that something is done to revise the act during the next session Congress. I am quite pleased to learn that President Truman intends to appoint a seven person commission to study the needed changes in the act.

President Truman in pointing out the defects of the Immigration and Nationality Act deserves the gratitude of the Nation for trying to do what is right. His veto message very eloquently speaks the true policy which the United States should observe toward the intricate subject which immigration and naturalization cover.

The CHAIRMAN. Is Mr. Daniel D. Carmell here?

STATEMENT OF DANIEL D. CARMELL, GENERAL COUNCIL, ILLINOIS STATE FEDERATION OF LABOR AND CHICAGO FEDERATION OF LABOR, AFL

Mr. CARMELL. I am Daniel D. Carmell, 318 West Randolph Street, Chicago. I am general counsel for and represent the Illinois State Federation of Labor and the Chicago Federation of Labor, both of which are AFL federations, representing approximately 1,000,000 members, with about 1,000 local members. We were invited to appear before your Commission.

We have a convention beginning this coming Monday. At this convention quite a few problems of this Commission will be presented. We feel we can serve this Commission much better by submitting a written statement in detail, and giving specific cases in the manner in which the law works unjustly and make a statement after we have all the facts, and, asking permission to file the statement, at this time.

The CHAIRMAN. That permission is granted. Can you give us an idea of when the statement will be ready?

Mr. CARMELL. Not later than the 28th of October.

The CHAIRMAN. Will you send it to Washington?

Mr. CARMELL. Yes. Thank you very much.

The CHAIRMAN. Prof. Edward A. Shils, you are next.

STATEMENT OF EDWARD A. SHILS, PROFESSOR OF SOCIAL SCIENCES, UNIVERSITY OF CHICAGO

Professor SHILS. I am Edward A. Shils, professor of social sciences, University of Chicago.

I have just completed editing a special edition of Bulletin of the Atomic Science which is devoted to American science and the American visa policy. I should perhaps give a bit of background to my interest in this particular subject.

I am here as an American citizen, but I did not ask for permission to come here because I wanted to introduce the quota provisions or any other aspect of the law. I wish to discuss one particular, perhaps, quantitatively quite small feature but one which I think has very great import for the United States and America's foreign relations.

As you gentlemen know, European scientists and scholars who have sought to come to the United States in recent years have had great difficulties in entering. Because of the number of provisions in the Internal Security Act, sponsored by Senator McCarran and which provisions have been written into the Immigration and Naturalization Act. Several hundred important European scientists, practically none of whom are Communists, have encountered several difficulties in coming to this country to attend scientific colleges or to accept appointments in universities. Practically none of these cases have been applicants for immigration visas. They have sought to come here as visitors for certain times for specific purposes. I should say in all cases to benefit the United States. As teachers, to give results of their research and experience and scientific skills to American colleges and in universities. As participants to scientific conferences, they have come here to present results of their research to their American colleges and to colleges of other countries who also have been invited So that the loss to the United States resulting from the prohibition of these distinguished scientists, some of whom are great benefactors of humanity and to the United States, I should add, is rather serious.

Marcus Oliphant is one of the main contributors to the development of radar on which our country depends for aerial defense, and he has been prohibited from coming into the United States.

Mr. ROSENFIELD. From what country?

Professor SHILS. From Australia.

Dr. E. B. Chain with Professor Fledge, one of the inventors of penicillin, has been prevented from coming to this country. He couldn't obtain a visa.

Mr. ROSENFIELD. Where is he located?

Professor SHILS. Now living in Italy where he works for International Health Research Institute.

The CHAIRMAN. In both instances, for how long a period did they desire to come?

Professor SHILS. They simply wanted to attend a scientific conference, lasting from 3 days to a week and then intended to return. It is difficult, of course, to get exact figures, but it is estimated that approximately 200 scientists have been prohibited from entering this country in the last few years.

I have been in correspondence with a great number of them in preparing an issue of the Bulletin of Atomic Scientists for October 1952,[1] a number of copies of which have been furnished for all members of your Commission. I have obtained about 25 detailed statements written by these gentlemen describing their qualifications and describing the purposes which they intended to come to the United States for, and describing the efforts they made to obtain visas and describing the ways they were treated by United States consuls. In many cases courteously, and in many cases discourteously. But that is not important. They were not able to enter the United States.

I should say that not in all cases was a visa refused. One of the points I want to make is that there were great delays on the treatment of visa applications for these men who want to come for 3 days or a week or 2 weeks, or to use this telescope in a certain observatory which has to be reserved for a certain time. They cannot get their applications dealt with in a certain time. In some cases applications are favorably dealt with but months after the men have applied and months after the time for which they had the university or laboratory appointment, or months after the conference to which they were invited took place.

Now this is not only injurious to American science and injurious therefore to American development and welfare and to American intellectual achievement; it is injurious to the achievement of the ends of foreign policy. Every time a visa is refused to an eminent European scientist or scholar, and many times when it isn't, it gets into the Communist press. Of course, Communists believe what they believe, but there are a large number of people in Europe who are not Communists, who are pro-American and want to be, and they find it difficult to defend the American policy when America behaves in this way.

I have a great number of friends in Europe and have spent a lot of time there in the last few years, who are also discontented and embarrassed by this particular aspect of American policy. One of the leading anti-Communist philosophers of the Western World, Prof. I. Michael Polanyi, a world-famous chemist and member of the Royal Society, has been denied a visa to enter the United States. It is something which is beyond the comprehension of those who know him.

The CHAIRMAN. On what ground?

Professor SHILS. Yes, that is one of the most difficult things to answer. He was Hungarian, born behind the iron curtain, but considerably before the iron curtain was put up. He went to Germany in 1919 and he became world famous in Germany. He left Germany, although not Jewish and went to the University of Manchester, where he was given the great honor of election to the Royal Society. He was also interested in political subjects. He was very much opposed to certain Marxist tendencies among British scientists and took the lead in opposing Marxism in the United States and in Europe.

In 1924 I believe Professor Polanyi was invited by the German refugee organization in London, called the Institute for Free German Culture, and he spoke on some Soviet science and dealt with the way the Soviet Government had interfered with genetics. It was an anti-Soviet lecture. As a result of this lecture, they wrote him a letter

[1] Bulletin of the Atomic Scientists, vol. VIII, No. 7, October 1952.

complaining and censoring him for having criticized the Soviet Union. The professor wrote them a letter and withdrew his sponsorship from the organization which he had momentarily taken when he was invited to give a lecture there. That seems to be the only bit of contamination that appears on Polanyi's unsoiled career as an anti-Communist; he has been in this country on many occasions and received an honorary degree at Princeton, at which time the President spoke of him being in the very forefront of fighters of freedom of science, and if he has any deficiency or vice, according to his friends, he is a little bit too anti-Communist. He never forgets the Communist menace, and here this man has been refused a visa to come to the United States. It is very difficult for his friends and admirers to understand it, and it is very welcome to his Communist detractors and opponents, that this anti-Communist should be denied permission to come to the United States. There are many other cases like that. I happened to mention that because it is most striking.

Mr. ROSENFIELD. Has his application been permanently denied?

Professor SHILS. Yes, after a year and a half of negotiations, and inquiries, and submission of more material, and continuous visits to the consulate in Liverpool, and interventions on my part at the consulate in London, he was finally denied a visa under, I believe, section 212.

Mr. ROSENFIELD. Where did he apply for the visa?

Professor SHILS. He applied in Liverpool. That is all set out in the issue of the Bulletin of the Atomic Scientists that I referred to. On these matters, I am undertaking to supply further information because I have much material which we didn't publish in this issue.

Mr. ROSENFIELD. The Commission would like to have it, if you can furnish it.

Professor SHILS. I will be glad to prepare that. So that on both counts, both on effect of American science and thereby on American defense and American welfare, we lose, and it really does the very greatest damage to our reputation in Europe, and the large amount of money which is spent for the Voice of America, and the Mutual Security Act, and previously for the fulfillment of the Marshall plan; much of that is undone by the illiberal and arbitrary actions which are necessitated by our present law, and by the heavy responsibility which is placed on the consuls. It is a heavy responsibility on which they have no alternative because they can get into great difficulties in making a mistake.

Now, I should, therefore, like to make a few points of specific criticism of the law. For one thing I believe that the provisions of the present law, the Internal Security Act, and those relevant passages of the Immigration and Naturalization Act, in dealing with the menace of subversion and espionage—which is a very genuine menace and which must be guarded against—throws the net far too widely; it necessitates the exclusion of anyone who is ever at any time a member of a Communist organization, and plenty of people are fools when they are young in other countries as well as this country. In this country they might eat goldfish; in other countries they sometimes join Communist organizations. But they are sort of like the pimples of youth, they pass away—free people grow up.

It seems to me as if it is discriminate, and unnecessary, and injurious to our country to exclude people simply because they are sowing wild

oats politically when they are young, if they settle down later. Obviously, if a person seems on the basis of his recent affiliations or activities, what we know of him from our security services, to be bound or intending to commit acts of subversion or espionage when he comes to the United States, that's his major interest, if he is coming as an agent of the Cominform, or simply is coming at his own initiative to facilitate some action with American conspiratory organizations, he certainly should be prohibited. But if he is a person who happens to have signed some sort of a silly document, by which the Communists hope to lead simple people by the nose, such as the Stockholm Appeal, or something like that, I think that is not sufficiently good grounds for prohibiting entry for a person who is going to come for some very specific reason; namely, to teach mathematics or to give a lecture, or give results of some chemical research which he has done. They have no connection with each other. As long as our guards around our defense research projects are sufficiently strong and reliable, and as long as these people, like our own American citizens and scientists, are prohibited from going into the restricted areas, then I think we have nothing to fear from them.

So I think that the net is thrown far too widely, and that the inclusion of former membership at any time in the past is a very irrelevant and even pernicious criteria for exclusion, although, as I say, I do believe that much care must be taken to prevent the entry of spies and of subverters, just as we have to take care of our own citizens who might perform acts of espionage and subversion.

Now this throwing of the net so widely makes it difficult for the consuls, who have training and an experience very different from inquiry into subversion and espionage—they are not security officers, they are not specialists in international security, they know very little of politics, I can assure you of that because of my own experience with many of them; they know very little of the politics of the countries in which they live, and they don't have the facility or the discretion to estimate just what is the degree of subversiveness of an organization or of any other nonpolitical organization. They are well-meaning men; they are concerned with the well-being of their country, and its protection, and also concerned not to get into trouble with their superiors or with the law. It is, therefore, either a lot safer for them either to take no action, or to refuse the visa, because at least Congress won't complain, and their superiors won't raise hob with them if they refuse a visa, unless in some cases there are such powerful friends at court for some of these people that certain action be taken, as in the case of certain eminent writers, like Graham Greene who is, obviously, not a Communist, and an appeal was made on the part of influential friends in this country, and his visa was granted.

Now, the consuls are put into this very difficult position, and I think that one of the greatest difficulties that the Visa Division of the State Department has is insufficient personnel for handling the greatly increased amount of work, which these provisions of the relative legislation have placed on them. The high officials of the State Department who gave testimony before the Appropriations Committee gave some rather striking statistics of the great increase in the number of cases which were being referred to Washington for ad-

visory opinions—although the final responsibility rests on the consul, Washington had to give advisory opinion. There were far too many cases, the number increased at a fantastic rate, but the Visa Division of the State Department for dealing with this did not increase proportionately.

Now, I think, of course, that too many cases are being referred for advisory opinions, but even the consuls who particularly want to play safe do so, and there ought to be more people in the State Department and more qualified people, I should stress, not just clerks, but some people who are capable of understanding European politics and the nuance of European politics, and people who can tell the difference between a politically simple-minded scientist, and the sort of a trickster who is really lying to commit acts of subversion or espionage when he comes to this country; and that takes some knowledge of the background of European political life.

Now there are such people working in the United States Government in various agencies, and I think that any further development of the visa policy, and the development in a more just direction, more helpful direction, would require that some of these more skilled analysts be brought into consultation on these cases.

Finally, I should say that some measures must be taken to increase the speed with which applications are dealt with. The same type of inquiry is made at present for persons who want to come temporarily as for those who wish to immigrate permanently into the United States. It seems to me that that is not at all necessary and it wouldn't require a very great change in the law or in the administrative provisions under the law to make possible different kinds of requirements, somewhat lighter kinds of requirements, and to make it possible to grant a decision, positive or negative, soon enough for a man to know whether he should request leave of absence from his university or his laboratory, whether he should rent his house. A great deal of inconvenience is caused, the most terrible embarrassments are caused to people by this dilatory procedure of the consulate and of the State Department because of this piling up of the work.

I should like to make one final comment, and that is I believe that the opportunities for America to benefit in the future as much as it has in the past from European science are possible. We have gained greatly from not only the atomic bomb, which we know to a very large extent was the work of foreign refugees and scientists in America, but many American scientists have gained very greatly from European scientists. The prospects and opportunities of America to continue to benefit in the future as well as it has in the past are greatly injured by the withdrawal of nonquota provision for professors—that was a part of our immigration law for a long time, and now the Immigration and Nationality Act has withdrawn that provision, and that adds another obstacle to the chances of America to benefit from European science.

Commissioner FINUCANE. Have you any suggestion as to how you think past membership in subversive organizations should be treated?

Professor SHILS. I think there should be a specific statute of limitations, and if the man had not been a member, let us say, for 4 or 5 years, something like that, and if we also have reason to believe that he hasn't just dropped his membership in order to carry on secretive

membership to do destructive work. I think we ought not to take into account at all that 15 years ago many European scientists concerned with the rise of fascism in Italy and Germany were joining political organizations and the Communists got control of a number of them—that we shouldn't take that into account at all, it is plenty irrelevant.

The CHAIRMAN. Thank you.

Mr. Peter Bukowski, you are next on the schedule.

STATEMENT OF PETER BUKOWSKI, PRESIDENT, COSMOPOLITAN NATIONAL BANK OF CHICAGO, AND FORMER DEPUTY ADMINISTRATOR, RECONSTRUCTION FINANCE CORPORATION

Mr. BUKOWSKI. I am Peter Bukowski, president of the Cosmopolitan National Bank of Chicago, 801 North Clark Street, Chicago. I am appearing as an individual. I have no prepared statement, Mr. Chairman, nor am I a man of letters, so that my contribution of testimony here might be along profound lines, nor will it grace any maze of statistical material for the record; rather, I would like to discourse in more or less narrative form, and give a high-lighted picture and an impression that has been created over many years—a picture of the evolution of America and of Americans, the picture that is a segment of Chicago, but is one that is multiplied many times over the United States.

While my impression is necessarily the story of many small areas of this city I hope the composite picture of the whole, as I have indicated, all over the United States, will accentuate to the members of this Commission the conviction in their minds that America is great, and America is strong spiritually and materially, largely because of the influx into her economic and social bloodstream throughout the years of a continuous flow of healthy, vigorous, virile elements who sought and gained admissions to this free land of opportunity, and made their contribution thereto. In such a picture that I propose to paint for you, I trust that it will show how American political, economic, and spiritual life has been enriched by the attainments and cultural progress of our immigrants and the sons and daughters of these humble folk who cast away the ties of their native land for political and other reasons and came to our hospitable shores to make a new start in life.

So that the Commission may have a little background of any value that may attach to these observations, I should like to give a few words of personal history. I hold the office of president of the Cosmopolitan National Bank of Chicago, having assumed this responsibility about 8 years ago, following 13 years of civil service in Government, and 11 years preceding that of private banking. Prior to that, there were 2 years of Army duty as a member of an American military commission to Russia in those fateful years of 1917–19. The last few months of 1951 I served as Deputy Administrator of the Reconstruction Finance Corporation in Washington adding my experience, and my technical knowledge of banking to that of W. Stuart Symington in the reorganization and administration of that agency.

Most of my adult life has been related to banking or to its activities, and in all these activities there is a need for maintaining a close and

very intimate contact with large numbers of people of prosperity and various cultural, economic, and antecedent backgrounds. Our bank is not a large bank as banks go, it has approximately 25,000 customers of American, Irish, Anglo-Saxon, German, Scandinavian, Japanese, Greek, and Yugoslavian antecedents. About 5 percent of our patronage is colored. Much of our business is that of industrial plants, and commercial enterprises. But we also have a large savings clientele. We are located slightly more than a mile from here on Clark Street at Chicago Avenue. Many of Chicago's finest people and descendants of our oldest families live nearby. Close at hand in the opposite direction is a large community of underprivileged people in the lower-income brackets. Within several blocks of our institution are the Holy Name Cathedral, the Fourth Presbyterian, St. James Episcopal Church, any many other houses of worship, including Hebrew and Catholic, and something else you need for Chicago—two Japanese Buddhist Temples. The neighborhood is one of Chicago's oldest. It was settled by Irish originally, followed by Italian, Scandinavian, and German, and much is taken over by the Gold Coast on one side flanked on the other side by an old section ready for redevelopment. As I stated a moment ago, many of the Japanese resettled from the west coast and made their homes here, but after taking roots in this Midwest community they have since spread out to other sections of the city. Our most recent settlers are Yugoslav DP's.

This background is given to emphasize and support my deep-rooted conviction that immigration policy has been one of economic expediency rather than economic wisdom. I, and many, many other thinking people, deplore the fact that our legislation is very obviously developed from political rather than economic advantages to the Nation. The present laws, going back to 1924, are, in my opinion, not only unfair and un-American in that they are highly discriminatory, but, more importantly in my eyes, rather restrictive provisions. These laws operate to economic disadvantage of our Nation.

As a student of economic history, I hold that the dynamic evolution of our country's greatness is to be attributed and is a result of the open-door philosophy extended to decent, God-fearing, and liberty-loving people who sought our friendly shores seeking to establish a new life here. It is history's recorded fact that even our Pilgrim Fathers abandoned what was then the civilized world to strike out for a new life in search of freedom. They brought a spirit and a will to build a new civilization minus prejudices, intolerances of the old. There was a succession of newcomers to our shores thereafter that kept revitalizing that spirit and that industry in the early arrivals, and it was this succession continuing for many years that kept influencing new dynamics into our older living.

When colonial America was being developed, the need was for men and women who could enrich the Colonies and implement its material level. The crying need at all times was for additional people to work the land, to explore, and exploit, and develop the resources of this bountiful land, and so they came progressively from England, from Ireland, and other European states, each bringing its traditions, plus a spirit of industry that has blossomed and bore fruit in this land of ours.

As the Colonies gained their independence and as the word of opportunity in this new Republic spread over the Continent of Europe, more and more hopeful eyes were turned in our direction, and thus, under a policy of encouragement to freemen, this Nation attracted and became the beneficiary of the migratory movements of many thousands from England, Ireland, Germany, Scotland, the nations of southern Europe contributing that which was so important to the Nation in those days, their brawn as well as their brain for the cultivation of our soils, the working of our mills, mines, and factories.

The growth of our population through infusion of immigration and the growth of our national wealth moved simultaneously on parallel forces, and only the blind would fail to acknowledge that then, as now, it is production that made for national prosperity and national wealth, just as production even today works for higher standards of living. But production even today has not arrived at the push-button stage, and will continue to be a matter of hands and man-hours, indispensable hands and man-hours supplied only by living, breathing individuals. There are material resources dormant in the ground or worthless were it not for the hands to work the soil or operate the machinery to bring out nature's riches from under the ground. Thus, in my opinion, the greatest wealth of our Nation, greater even than the natural resources themselves, lies in the numerical wealth of our population.

As a native-born American, I first saw the light of day about 2 miles northwest from the site of these hearings, and my name indicates my forebearers were Poles who came to this country in the early fifties. My earliest recollection of this world I was living in goes back to the late nineties when I first began developing an awareness to my surroundings. I recall that those early surroundings, the community in which I lived then, and as all communities of comparable character were, was homogenous, the residents almost exclusively were recent arrivals from the three partitioned sections of Poland, and upon arrival in Chicago these people gravitated to their churches and settled in close proximity thereto. Thus, the language most frequently heard on the streets and in the corner grocery stores and meat markets and shopping centers, as they were in those days, was the native tongue. Even English was difficult for them to learn, and their lot was not an easy one because of language barriers. Some came with families and children; others came without such ties, but, eventually, found partners to help in the establishment of a family life, and in the advent of children we see the first step of full severance with the ties of the old country. Up to this point the usual thinking of the immigrant had been along the lines of making his or her stake and then going back home, but as children arrived on the scene this objective was soon to disappear in the roots of family life—the beginning of Americanism was started at that particular point. When the children attained school age, off to school they went with a knowledge of their parent's original language; they became bilingual, something that I deplore to see the passing of nowadays. Under the guidance of their parents to whom education and privileges were denied, or were not available, these young people were encouraged to acquire learning, and so we see them availing themselves in the entire range of educational opportunities, through high school, technical

schools, colleges, professional schools, and universities; where the economic situation did not permit full attendance in colleges or universities or professional schools we find these young people employed during the day assiduously, with their hunger for education to complete training or qualify for professional standing.

In this process of education the children became responsible to the American environment, in the assimilation of our American attributes, principles, and efforts they rapidly became in the fullest sense of the word "Americans" with a deep-rooted and unquestioned loyalty to America and her instittuions, and so, as world war came upon us, the great number of the first generations of American-born immigrants from Poland reached their maturity and responded magnificently to the call for duty, and many are the names of Polish and other antecedents, alongside of those of purely Anglo-Saxon character, that dot the casualty lists of Chateau-Thierry and Saint-Malo and other battlefields of France.

Upon their return they resumed their places in society, each contributing his or her best talents, each practicing the frugality of the people whence they came. Through the years the record now becomes fully replete of their attainments in the fields of letters and science, in business and commerce, and in industry. We find that as the years have passed on that there is no longer this segregation to which I refer to, the Poles and the Germans and the Irish and the Norwegians and the Welshmen now live pretty well together in newer communities, each with a fine neighborly spirit, and each inspiring the other to outdo the other in the keeping up not with the Joneses but with the maintenance and care of their homes and their gardens. So, through the years to the present day most of the oldsters have now gone to rest, as did my father some 20 years ago; their children now, with children and grandchildren of their own, have succeeded them, and because it is America, and a process peculiar to America, they are no longer Poles or Scandinavians or Irish; they are in everything but the surname they bear Americans in the fullest meaning of the word, grateful of the privilege of being Americans by the privilege of birth, and proud of the heritage of their forefathers and the attributes which they brought into American life.

With the original newcomers was the hewer of wood, and the carrier of water, and he labored long and tedious hours in the mills and the foundries, or in the tilling of the soil and the laying of the roadbed tracks; that began to disband, and his progeny is now to be found in the skilled trades. He is the toolmaker, the precision machinist, or the doctor, the dentist, or lawyer. You will find them here in this building, as elsewhere in the Federal judiciary, as justices of our State courts. You will find them, as you will find them in Chicago, as county judge, or as the chief justice of the municipal court. You will find this progeny in government, trade, progress, and industry. But, whatever their calling, you will perceive, above everything else in them, a deep-loving American loyalty, and a burning zeal for peaceful life and family living.

As I have tried to review briefly the passing of a half century of fine people who, in my observation, have made tremendous progress, I am profoundly impressed by this progress, but I know that it only represents one facet of American life; that which I have tried to portray is

duplicated many, many times, only in Chicago, but by other antecedent groups, groups of other ancestors, but throughout this land and every substantial metropolitan community that you can name, and it is the collective effort of these people that has made America what it is today, and, to me, it would be a sad day to turn our backs upon the one thing that has made the great contribution not only along social and cultural and other lines, but has made such a substantial contribution to our economic growth.

The CHAIRMAN. Thank you very much, Mr. Bukowski.

Mr. Samuel Levin?

STATEMENT OF SAMUEL LEVIN, REPRESENTING THE AMALGAMATED CLOTHING WORKERS OF AMERICA

Mr. LEVIN. I am Samuel Levin, representing the Amalgamated Clothing Workers of America, 5005 Drexel Boulevard, Chicago, of which I am a former national vice president. I am a member of the Chicago joint board of that organization. I am also a member of the executive committee of directors, Combined Jewish Appeal, and president of the Amalgamated Life Insurance Co.

The CHAIRMAN. The Commission would be glad to hear whatever comments you desire to make.

Mr. LEVIN. I have adopted America as my country. I am a foreigner by origin. Fortunately, I didn't miss the boat. If I had missed the boat, and not come when I did in 1905, probably I wouldn't be alive today, whether in the country where I come from, or in the other countries where such people haven't had a chance.

The CHAIRMAN. Where did you come from?

Mr. LEVIN. Russia. There was no communism at that time, but there was a Czar.

Within my experience within the labor movement I have worked with practically all the elements of foreign extraction; in many instances the majority of the first generation come here. I have seen them develop and contribute to the Nation's welfare—mostly Polish, Bohemian, Italians, Jewish, Irish—not very many Greeks. Originally there were about 22 nationalities involved; 90 percent were foreigners and what was good in Chicago was practically good in all other cities where clothing was produced for the American population by those elements. So I consider that they made their contribution.

I haven't got any statistics or prepared papers, because I haven't had time to prepare that. But I was very much impressed with the remarks of Senator Paul Douglas in the Senate on this subject. I would refer the Commission to this statement by Senator Douglas.

I am sorry to say that the principle and the basis of our original acceptance of immigrants was a very liberal one for the oppressed and the suppressed; whether for economic advantages, or development, or allegiance, the doors were opened wide for people to come in. As the gentleman before me said—with those elements America became great and enriched, and it was all in the half century that I have witnessed in this country.

I realize that in the original set-up, and the liberal position of our Nation or the forefathers that have made our original laws, there were no problems of the kind that there are today. We didn't have com-

munism, we didn't have fascism, and we didn't have naziism, all elements, and maybe allergies, that are foreign to us. We don't like them, and we want to avoid them coming into this Nation of ours. But to make the kind of restrictions and proportional quotas which makes it practically impossible for good people, good-intentioned people that find themselves in places where their life isn't worth while, and they are looking for refuge, and we begin to deny them refuge, then we are deviating from the original purposes on which our country was based.

Screening people? Of course, to the highest extent—whether our present departments are qualified for that, I am not so sure; whether our qualified people that can apply themselves to do the proper screening consider those elements that are not welcome here and for good reasons should be kept out. But we can't make it that just because there are some that have ill intentions, and we classify everybody on the same basis, and make it hard and impossible.

Then, the quotas on the basis of those that came in the earlier days, the quotas are greater, and the great masses that came later, their quotas are reduced, and their numbers are greater than those that came in the earlier days. There, again, I refer to the statistical advice, that I was very much impressed by Senator Douglas' study that he has made, and the periods and numbers of people that came from the different parts of the world.

I feel very much embarrassed that just because I was fortunate to come at a certain time that other people like me—and I am proud of my activities in this country, I don't think I need to apologize to anybody as an American, as my contribution to the development and the advancement of people, the relationship in the industry that I have established—that my kind would not be able to come to America.

The CHAIRMAN. When did you come? How long ago?

Mr. LEVIN. In 1905. I raised a family. My two sons were in the service. I was able to give them an education. My two sons-in-law were in the service; they are very fine people.

The CHAIRMAN. How long have you been a citizen?

Mr. LEVIN. Since 1911.

Commissioner PICKETT. May I ask this question: I remember someone testifying at one of the hearings about the scarcity of tailors—can you say anything about the importance of importation of such a skill from the point of view of the economics of your industry?

Mr. LEVIN. Our industry is to some extent a peculiar industry, a seasonal one. Sometimes we are especially short of people, especially qualified tailors; sometimes when a season is over we have enough. But there is one industry here, one branch of the industry, that is practically dying out, and will eventually die, and that is the very fine clothing that the merchant tailors are making, for which it—to become a tailor that can make this clothing—takes as long as to become a doctor, or a lawyer, or a chemist. They are professionals practically, artists, and no American young man will give his 3 to 5 years to make a study of how to make clothing, so they are gradually dying out, and the industry will probably in time die with them.

Commissioner GULLIXSON. In view of your wide experience in the labor field, what is your opinion of that provision in section 212 of the new immigration law which states visas may not be issued to—

aliens seeking to enter the United States for the purpose of performing skilled or unskilled labor, if the Secretary of Labor has determined, and certified to

the Secretary of State, and to the Attorney General that (A) sufficient workers in the United States who are able, willing, and qualified, are available at the time * * * and place * * * to perform such skilled and unskilled labor. * * *

Mr. LEVIN. Some provision during emergencies might be necessary, like the period from 1929 to 1934, when 16 million people were unemployed, and taking themselves to soup kitchens, if such kitchens were provided for them. During that period of time to shut it off was probably advisable because if we have 16 million unemployed there is no need to bring in another half million or so to add to their misery, but not when things are normal.

The CHAIRMAN. Thank you very much.

Mr. Henry Heineman, you are the next witness?

STATEMENT OF HENRY HEINEMAN, REPRESENTING THE CHICAGO DIVISION OF THE AMERICAN CIVIL LIBERTIES UNION AND THE AMERICAN JEWISH COMMITTEE

Mr. HEINEMAN. I am Henry Heineman, a lawyer, 135 South LaSalle Street, Chicago. I am here to represent the Chicago division of the American Civil Liberties Union and the American Jewish Committee.

I might make mention of the fact that the views which I expect to be presented by Mr. Max Swiren in behalf of other Jewish organizations are shared by me to the extent that I am familiar with them. I do, however, wish to deal with certain aspects of the immigration matters that he may not deal with. I find in the immigration laws, as they are now constituted under the McCarran-Walter bill, an attitude toward the constitutional protection, which I find particularly obnoxious. The Supreme Court has, of course, held that many of the ordinary rules about constitutional protection are not applicable to aliens. The Supreme Court has decided that for better or for worse Congress may deal with aliens almost at will. In coming to that conclusion, at least one Justice, and very recently, felt compelled to say that he found the decision very distasteful. Justice Frankfurter says that in recognizing this power and this responsibility of Congress one does not in the remotest degree aline oneself with fears unworthy of the American spirit, or with hostility to the bracing air of the free spirit. One merely recognizes that the place to resist unwise or cruel legislation touching aliens is the Congress, not the Court. I feel that much of the legislation, as Justice Frankfurter indicates, is cruel and unwise. The American Civil Liberties Union has prepared a statement here of the many respects in which the immigration laws would contradict the ordinary rules of constitutional protection, but for the decisions which make these inapplicable to aliens. This was prepared prior to the passage of the McCarran-Walter bill, but the bill as finally enacted into law would make the statement applicable and I think it might possibly be of some use to the Commission to get this sort of catalog of instances in which you have retroactive legislation; for instance, which, if it were applied to citizens would be clearly unconstitutional, or, if deportation were a crime, or had a penal effect; laws involving racial discrimination, which, if applicable to citizenship, would make them unconstitutional; provisions with respect to retroactive legislation, with respect to limitations of actions.

The CHAIRMAN. The Congress has full authority to legislate in that field, and what we are concerned with is not whether it is something that would be unconstitutional, if it were unconstitutional, but we are concerned with what kind of an immigration policy we should recommend.

Mr. HEINEMAN. Well, I would like to suggest, perhaps, this as a statement of principle: I would suggest that the principle of the Bill of Rights, and of due process, are themselves forward-looking and admirable principles; that they should be applied even to aliens, although Congress is not constitutionally required to protect them. In other words, I am addressing myself here to the policy. I think that when the Bill of Rights was enacted back in the early nineteenth century or latter nineteenth century it was a great step forward in governmental relations, in human relations, and it is still a great step forward, and it is a great step forward in its salutary principles, and there are a series of salutary principles whether they are applied to aliens, or whether they are applied to citizens. But there has become an attitude current in the public mind which says that these principles of due process, and equal protections are a necessary evil. In some instances, we have to make certain concessions to the individual, but where we don't have to incorporate these principles in the legislation, we won't do it. In other words, the great American principles of individual rights become concessions which are grudgingly given where necessary, rather than as a matter of course, naturally granted to all persons whether aliens or individuals.

Perhaps I can better illustrate that by taking some provisions of the present law, which illustrate this principle: Now one of the most notable is the one that Professor Shils at one time referred to, and that is the right of the Attorney General under some circumstances to exclude aliens without any hearings. That, of course, is a provision which if it applied to any other right virtually than entry into the United States would be unthinkable.

I am not suggesting a legal argument here, I am suggesting a policy which gives to aliens, in effect, what would be given to citizens.

I might, perhaps, add this much to what Professor Shils said: that in my experience this provision giving the Attorney General the right to exclude aliens without a hearing under some circumstances has been administered in a fashion which a loyalty board in a Federal loyalty hearing would consider entirely out of the question. I have had some experience in these security matters, both before these Federal loyalty boards and in immigration matters. Now the Federal Loyalty System is not one that the American Civil Liberties Union in toto approves; very far from it. But, there, a system has grown up; its problem is the same, that is, of protecting the anonymity of informant, and at the same time gives some opportunity for a person who is suspected to be heard. The Federal loyalty boards have gotten somewhere on that—usually, given a statement as to the grounds for believing the person a security risk. It may not be in very definite terms, but in some terms. Under the administration of this section, there is no reason given.

The CHAIRMAN. Did you have any other observations you wished to make to the Commission?

Mr. HEINEMAN. I should like to discuss one procedural aspect which is, to my mind, basic and very important.

That is the system of review which now fails to obtain or to respect visa exclusions. I think of no administrative officers in the whole system of America who has such power as an American consul abroad without any responsibility—I won't say without any responsibility, but without being held to that responsibility without some sort of review procedure.

The CHAIRMAN. What review procedure would you propose?

Mr. HEINEMAN. I would like to propose that a review board be set up. I would say that if such a review board could be set up I think much could be learned from the experience of the Board of Immigration Appeals which has confronted some of the difficulties, they have often decided cases which have been decided at points of admission, at all points of the United States. They have often to deal with admission or exclusion deals. There are strong parallels in conducting a Board of Immigration Appeals. I think a board of review of some sort from consular action could furnish a similar protection.

I would like to spend a little more time and I should like to spend it in writing some fairly concrete suggestions to submit to you.

The CHAIRMAN. We will be glad to receive any written suggestions you may wish to submit.

Mr. HEINEMAN. I don't want to tax the patience of this group, but if I may say something on a concrete procedural matter, it is about the procedure which the new law has provided for adjustment of status and which I had hoped would be a very great improvement over the old system of preexamination. The old system of preexamination was an administrative absurdity. It provided the duties of useless and nonsensible things. I think everyone who has had practical experience in these matters welcomed the termination of that experience and the substitution of the adjustment of status provisions which is in the new law. From what limited experience I have had since the new law was enacted and before its effect, and I think it is shared by many people in the Immigration Service, the new section doesn't meet the hopes that it had, and one of the reasons that it doesn't meet the hope is because of the requirement that a person be in status before he—in temporary status, that is—before he is entitled or before he can ask for adjustment of status from temporary to permanent.

That requirement was not administratively in the old preexamination regulations, and it has been my experience in handling a good number of preexamination cases over the years, and in regarding the matter or problem as a practical matter, right now in the interim period between the passage of the new law and the effect of it.

The CHAIRMAN. Thank you very much.

Is Miss Lea D. Taylor here?

STATEMENT OF LEA D. TAYLOR, HEAD RESIDENT, CHICAGO COMMONS ASSOCIATION, AND PAST PRESIDENT OF THE NATIONAL FEDERATION OF SETTLEMENTS

Miss TAYLOR. I am Lea D. Taylor, head resident of Chicago Commons Association, 955 West Grant Avenue, Chicago, which is the organization I am representing. I am also past president of the National Federation of Settlements.

I may repeat things you may have heard in other cities, but after all you have come to Chicago, and perhaps repetition isn't bad if it

represents different things that have happened in different parts of the country, which may in all probability be similar. It at least shows the problem. I have tried to limit myself to a very few remarks here, largely from personal experience, because I haven't had an opportunity to gather facts.

I have not studied the law completely. I have read summaries of it. I think that the National Federation is later going to be before you in another city. But I am representing today the settlement houses and community centers and their neighbors throughout the country. There are several hundred of them, many of them located in areas where new immigrants have settled in new decades.

I have a prepared statement which I should like to read.

The CHAIRMAN. We will be pleased to hear it.

Miss TAYLOR. I am representing today settlement houses and community centers and their neighbors throughout the country. There are several hundred of them, many of them located in areas where new immigrants have settled through past decades and in these current times. Because their work reaches all ages of a family, and because of the policy of serving all differing groups in a neighborhood, they know at first hand on a neighborly basis some of the many problems of family life, and are familiar with the process of the integration of newcomers into the life of America.

It should not be necessary to tell this committee of the way in which immigrant families have become a part of American life. Such stories are well known. Many came from small villages or overpopulated areas in Italy, Poland, Czechoslovakia, Greece, as well as from Scandinavian and western European countries and Great Britain and Ireland. A great many who came and who have formed the backbone of many sections of our country came with no high skills, but had willing hands, and they have not only helped to build our cities, our streets, and our railroads and highways, but have contributed to our cultural and intellectual life. Many stories could be told of the hard work and sacrifice of parents anxious to give their children the opportunity of education and higher standards of living, denied to them in their country of birth.

From an experience of 50 years of residence at Chicago Commons social settlement in a neighborhood near the center of the city, where many new immigrant groups have settled through the years, I have had long acquaintance with such families of Irish, Scandinavian, German, Italian, Greek, and Mexican families, and can testify that America can be proud of the great majority of these families, whose children have grown up into useful citizenship. The caliber of the individual or the family is what is important, not the particular skill or ability, which might have been seriously conditioned by the circumstances under which such a family may have been forced to live in their country of birth. The quality of the person is what counts, for such a person can take root in American soil, and can learn through participation in its democratic procedures. Americans by choice, they have been called; citizens of a land which has offered them the opportunity to grow in thought and industry and life, a privilege not always appreciated to so great an extent by those who are native-born.

I speak for many social centers throughout the country from the experience which I have personally had—the opportunity to watch the transition of a family from the early days of adjustment to new conditions of living in a new land, through the gradual development of a relationship to other groups, and development of citizenship responsibility. I have lived long in a neighborhood where little colonies of people from a similar background have clung to close relationships and often to the traditions of old-country living and customs. The settlements and social centers through neighborly acquaintances have sought to break barriers that divide people because of nationality, race, or creed, and to broaden human relations and relate groups to the life of the community as a whole. We have watched children from families who came with very limited experience from a European country grow into adult life with skill in industry and business, and in cultural life, and have seen many of them take an important place in the professions of law, medicine, and education. America has gained much from such citizens.

The ability to develop into responsible citizenship cannot be determined by any test-tube analysis prior to the granting of permission to enter this country. Nor can a person be judged by the education or experience which have been pattern of living in the land of his birth, or the circumstances under which he has had to live.

I would like to comment on a small group of young men who came to this country and this city 20 years ago, having given the loyalty of their childhood and early adolescence to the Fascist organizations so temptingly put before them by Mussolini's Italy. Through experiences in this country of group life under intelligent leadership, and through the sharing of such experience with other groups, the ideals and processes of democratic living have become a part of the life of each of these men who today have taken their well-earned place in the business and professional life of Chicago.

Such examples could be multiplied many times over by all the social centers and many other groups throughout the country. This puts the emphasis on the need of faith in the common man and faith in the process of the democratic experience in American life, which over many generations has helped to mold our citizenship out of people of many different backgrounds and experience in life.

Artificial and rigid restrictions and requirements for entrance visas form barriers which will keep out of this country many who would make a real contribution to American life, and who most need what America can offer and has offered in the past.

Numbers probably have to be restricted. But it is hoped that some other criteria than country of birth can be found, and some measure other than a proportion of the census of 1920 can be used, which will fit the situation of the world of today more realistically and more practically. For what is happening in other parts of the world, in overpopulated countries, in countries where there is great strain in living, is important to the peace of the world.

I had the opportunity this summer to meet with the International Federation of Settlements in Amsterdam, which brought together people interested in the human relations of neighborhoods in 14 countries. We learned for instance, that the population per square mile in the Netherlands is greater than any other country in western Europe—771 per square mile as against 4 for a similar area in Canada.

The Government of the Netherlands is promoting emigration. Settlements and other agencies have classes and educational programs to acquaint people with the opportunity of life in other countries. Emigration in 1948 was 13,837, in 1951 it was 37,129 and it is hoped to raise it in 1952 to 58,000. The quota for the United States is limited to 3,153. Canada will accept 25,000 and Australia 20,000 of these people who could easily be integrated into the industrial and agricultural life of this country, and who would make a real contribution to its citizenship.

We learned from the head of a German social settlement in Berlin, that of the 2,100,000 residents in West Berlin, 1,100,000 are eligible for work, but 286,000, or one-quarter of the group, are unemployed due to the seriously handicapped industrial situation of that city. This number of unemployed is being daily increased by hundreds of refugees from the east sector of the city or the east zone who manage to slip across into West Germany and who must be supported until work is found. It is said that 550,000 residents of Berlin are in need of Government assistance in order to live. Conditions in the refugee shelters or camps in Berlin and elsewhere in West Germany can take little account of the culture, education, or standard of living of any family or individual. I visited in Berlin a shelter for 700 people in a four-story windowless old air-raid bunker in which there was one small crowded room for each family. A central kitchen furnished food but it had to be taken to that room to be eaten. At least a third of that group were children, and I saw twin infants 2 weeks old living in one of those rooms. What can happen to such families from the point of view of health, morale, and morals, as well as propaganda, can well be imagined.

In addition to refugees Germany has over 9,000,000 expellees, people of German heritage whose country of birth places them in lands behind the iron curtain, whose quota in our immigration policy is not only limited but probably mortgaged for years to come.

I had the opportunity of working for 2 months this past summer in training institutes for social workers and teachers of German background under the auspices of the Unitarian Service Committee and a German welfare organization. Many of those with whom we worked were expellees now giving service in social welfare work—case work with families, work with youth, or in institutions of the many disturbed children with which Germany is working today. One of them was one of four case workers in a refugee camp in Bavaria where 3,000 people of all backgrounds—all ages—all educational levels, were crowded together simply existing—with no possibility of work opportunity, nor of any incentive to break the impenetrable barriers which hemmed them in because of lack of housing and work opportunities. The future for these people seems dark indeed.

The fear of continued existence in a police state, and the hope for freedom to maintain family life together, to gain educational opportunity for their children, brought them to West Germany. There they, many of them, hoped to find the freedom of being able to think their own thoughts, and become useful citizens. Given the opportunity many of them could make good before it is too late.

America has been a country open to such people through the generations. It has dared the great experiment of molding into one nation

people of differing backgrounds and beliefs. Such differences of culture have enriched our Nation. Strength lies in the democratic process of education, of learning to live with and work for the four freedoms, of the experience of working together toward a higher standard of living for all.

We, as part of a world of nations, have an obligation within reasonable limits of numbers, to free our immigration policy from restrictions based on the fear of the common man, on discrimination against people of those countries which most need the opportunity to share in the life of this country.

The settlements through this country urge this Commission to give hope to these people, to keep open the door to freedom, to safeguard our own country from police methods and fears which may undermine our democracy, and to make possible the educational processes which will help our native-born citizens, and our citizens by choice to build the America of which we may be proud.

Commissioner PICKETT. What do you think of the policy as contained in the new law respecting the limitation on the number of Asiatics that may be admitted?

Miss TAYLOR. I certainly don't approve of it. I had acquaintance with a good many Asiatics. There are not many in our neighborhood, though we do have some of the Japanese people in our neighborhood today.

Commissioner PICKETT. Do you think they present any difficulty of assimilation?

Miss TAYLOR. They have presented far less difficulty in Chicago than many other groups, I think. They have amalgamated themselves into the life of our city in an extraordinary way. We have a very large number who came from the west at the time of the war period and the break-up of the so-called concentration camps in which we put people during the war years. I think they have just as many qualifications for becoming American citizens as any other nationality has. Any nationality has customs and traditions which they bring with them and which perhaps have to modify to fit into American life, but I have no fear of that group.

The CHAIRMAN. Do I understand correctly that you would recommend as a matter of policy, subject to whatever proper restrictions ought to be placed on admissions to this country, that each individual ought to be admitted on the basis of his own qualification irrespective of the place of his birth or his national origin?

Miss TAYLOR. Yes, I would, because a person is a person and as such may or may not have a contribution to make to this country; and whether he happens to have been a German person born in Czechoslovakia and someone else born somewhere else, isn't necessarily a qualification. It has been an easy way of determining a quota system.

I also believe in a pooling of the quotas which are unused from countries from which we are not today obtaining immigration to the extent of the 1920 census.

The CHAIRMAN. Thank you very much.

Our next witness is Mr. Charles A. O'Neill.

STATEMENT OF CHARLES A. O'NEILL, EXECUTIVE SECRETARY, SOCIETY OF ST. VINCENT DE PAUL, ACTING ARCHDIOCESAN RESETTLEMENT DIRECTOR OF MILWAUKEE, WIS.

Mr. O'NEILL. I am Charles A. O'Neill, executive secretary of the Society of St. Vincent de Paul, 1924 North Seventh Street, Milwaukee, Wis. I am also acting archdiocesan resettlement director of Milwaukee.

I have a prepared statement I would like to read.

The CHAIRMAN. You may do so.

Mr. O'NEILL. I wish to express my appreciation to this honorable body for the privilege of presenting my views on the immigration policies of the United States. I shall speak very briefly on the phase of this subject about which I am mostly familiar—the admission of immigrants to this country in the light of our present and prospective economic and social conditions. I hope that the testimony of people like myself, who have had first-hand contacts with immigrants, as well as the testimony of expert sociologists and economists, will show that it is necessary to revise our immigration policies. I hope, that America will again assume leadership among the nations of the world in this great problem on which may very well be determined the peace for which we all seek.

I shall speak from my more than 20 years experience in the work of the Society of St. Vincent de Paul. A work which has kept me close to the people of every walk of life and particularly close to the workingman and his social and economic condition. On the basis of this experience I now present these views:

1. Immigrants, including the displaced persons coming to this country in recent years, have been quickly assimilated. After they have been here about a year it is hardly possible to distinguish them from Americans born and reared in this country.

2. Housing and jobs obtained for immigrants have not deprived Americans from housing and jobs. Although we have had a few complaints on this point they have come for the most part from people with deep prejudices and from people who were trying to compensate for their own inadequacies by placing blame on others, especially on the immigrants.

3. Immigrants have not caused any appreciable social or economic problems. In resettling more than 1,600 DP families and individuals through the WRS–NCWC in the Milwaukee area over a 4-year period, we found that only 20 of these families required assistance in the amount of approximately $1,800. This was mostly for household furniture furnished shortly after their arrival and most of this will be repaid by the people concerned. Only two of the 1,600 families and individuals presented problems of marital discord. There was only one known case of juvenile delinquency. Only eight cases required service and assistance with health problems. On a percentage basis I believe that the immigrants were more self-sufficient, healthier, and maintained better family relationship than any other cross section of our general population.

4. There has only been one case of unemployment brought to my attention. That of a handicapped person who, we believe, will be placed soon. Employers have informed me that DP's have stayed on

their jobs longer than other employees. That they have made good on their jobs is evidenced by the fact that there is no unemployment problem.

5. DP's have taught many of us lessons in thrift and good management of finances. We can cite numerous cases of people who have saved money to make a down payment on a home, who have purchased new furniture and other products of our great industries within a year after their arrival. The case illustrations used in the DP Story, the final report of the Displaced Persons Commission, are typical of our area. May I also draw your attention to the Allis-Chalmers newspaper of December 12, 1951. The article on pages 2 and 3 should greatly interest this Commission.

6. The newcomers have by and large been a friendly and cooperative people joining readily not only in programs designed for them but in the general cultural activities of the community. They have with only one exception been anxious to apply as soon as possible for naturalization. In this one case the person was emotionally disturbed and presented a problem. The great majority were definitely anti-Communist and are the type of people we are proud to welcome as citizens.

7. Looking ahead, I believe there will be very little unemployment in the next year. We get numerous calls for laborers, housekeepers, janitors, etc. The papers are full of ads every day seeking skilled and nonskilled help. More people are needed in the labor market. Organized labor and industry, no doubt, will testify on this point.

Although we entered into the DP program for the most part out of charitable consideration, and although I think that our immigration policies should be revised if for no other reason than a charitable one, the fact remains that my experience shows that the immigrants to this country have been a decided asset to America and this, I believe, should be the deciding factor in determining future policies.

Commissioner GULLIXSON. In your wide experience with the DP's originally settled in rural areas, has there been any noticeable movement toward Milwaukee?

Mr. O'NEILL. That is a very good question. In the beginning we had a great number that had been resettled in rural areas and after a short time they came to the cities. We noticed that as the program progressed, and I think a better job of matching the Jones' and the people was done, that the people stayed longer on the job. In fact, I understand from the State displaced persons commission of some 580 families who were resettled last spring in Wisconsin after they had sent some agricultural agents to Europe to select them first hand, that 80 percent of those families are still with the sponsors on farms in Wisconsin.

The CHAIRMAN. Eighty percent?

Mr. O'NEILL. Yes.

Commissioner O'GRADY. How many did that involve?

Mr. O'NEILL. 580 families, Monsignor.

The CHAIRMAN. Thank you very much, Mr. O'Neill. We appreciate your giving us your views.

Is Mrs. Alfred T. Abeles here?

STATEMENT OF MRS. ALFRED T. ABELES, CHAIRMAN, CHICAGO AREA CONGREGATIONAL DP RESETTLEMENT COMMITTEE

Mrs. ABELES. I am Mrs. Alfred T. Abeles, 726 Ninth Street, Wilmette, Ill., chairman, Chicago Area Congregational DP Resettlement Committee.

We Congregationalists are great individualists, and a little bit peculiar, and before we say anything we preface it by saying that what we usually express are our own opinions and do not necessarily represent those of any group or organization to which we may belong.

I have a statement I should like to read.

The CHAIRMAN. We will be pleased to hear it.

Mrs. ABELES. I would like to speak in relation to section 2, paragraph (c)—the second part of paragraph (c). I should like to make it clear that any opinions I may express are my own personally and not necessarily those of any group or organization. I believe that emergency legislation is necessary to alleviate the plight of the world's uprooted people and to finish the job left undone at the expiration of the DP Act. We are already committed to help those people who were processed but for whom visas were not available on December 31, 1951. And I believe we should resettle our fair share, under proper safeguards, of escapees from behind the iron curtain since the end of the DP Act on December 31, 1952. This seems to me a particularly logical and fitting policy for this country of ours which was founded by those who longed for freedom of worship and freedom of opportunity. As a church woman I believe we have a moral obligation to practice the brotherhood we preach by giving opportunity to those in need. As a citizen I believe we should continue the democratic tradition with which we began as a nation; furthermore that we need the skills of these people and will find them of real value in our economy. Many of the great contributions in the fields of arts and the sciences in the United States have been made by people who came themselves from other countries or whose forbears did—all good Americans now.

My experience best fits me to speak on the grassroots level at which I have worked in the local resettlement of DP's. Our local church has an active DP committee. We have resettled about 240 DP's from 11 countries ranging in age from unborn babies to a great-grandmother of 92. I believe that our fair share of these uprooted peoples might be 250,000 over a 3-year period—not per year, but total number, total period. This figure is conservative when you consider that under the DP Act, we were able to resettle and assimilate approximately 390,000 over a 4-year period.

I have sat with several groups discussing the possibilities of financing transportation. Their views varied from those who felt the entire burden should be borne by the refugee on a loan basis to those who felt the entire cost should be borne by the Government. I think a middle course would be best. To saddle the refugee with the entire cost of his ocean and inland transportation would in my opinion constitute so great a burden as to discourage his initiative. On the other hand, if he has to repay a reasonable amount of his transportation expense, it will add to his sense of responsibility and give him a feeling of standing on his own feet. This amount could be arrived at in

several ways—his ocean transportation could be paid as under the DP Act and his inland transportation could be a loan as it most often was before. But some people think then that everybody would want to settle on the east coast where transportation from port of entry would be small instead of spreading also to the western areas where there is more space and more new opportunities. Perhaps an arbitrary figure the same for all should be used. One group suggests $100 per adult and $50 per child between 6 and 16 should be repaid by the refugee. I feel that this whole question should be given careful consideration in order that a fair balance be reached—a balance where the refugee would repay a reasonable but not staggering amount on his transportation. The cochairman of our committee disagrees with me. She feels that the new immigrant should be asked to repay the entire cost of his transportation and, if he is given a long enough period, say the 5 years that it takes him to become a citizen, that this could be done without undue hardship. We have no trouble at all in collecting the inland transportation which we have forwarded to our people in the form of loans plus a reasonable amount for resettlement of people after their arrival, which also has been given in the form of a loan. So far we have had 100 percent repayments.

I would like to make one specific suggestion in processing. At some point along the way, probably at the point of embarkation quarters and on shipboard, a determined effort should be made to give the refugees a working knowledge of basic English. This was offered but not required before, and our greatest difficulty, both in placing our people jobwise and in integrating them into the life of the community, was when there was a total absence of English.

Finally, I would like to tell you in particular about a few of our people, as I'm sure it will make vivid for you why I know they will make good citizens. One of the first families who came to us was a Latvian widow with two sons 6 and 8 and a mother 82. They had been flown over because of the age of the grandmother and the fact that one of the boys had just recovered from pneumonia. They were 48 hours out of DP camp when they arrived—and the impact of Chicago, a new language, and unknown job and future must have been terrific. Mrs. Z met me with a quiet friendly dignity. I had signed the assurance with my initials, and she had presumed I would be Mrs. Abeles. We had breakfast in the station. As I ordered, I asked Mrs. Z how her mother would like the eggs cooked. She replied in Latvian: "Eggs, they are heaven. How can one ask how to cook them?" Presently one of the boys who had secured pencil and paper from his mother was busy drawing. Soon he held up the finished product. It was a very recognizable picture of Hopalong Cassidy, complete with two guns. The point of my story is that this same youngster was given a scholarship at the Art Institute last year. His mother is working in my husband's office and has had several raises and earned the respect and friendship of all who work with her. She helped organize a Sunday school in her neighborhood for Latvian children and sings in a choir which gave a concert at Hull House.

There is a White Russian family of six—mother and father and two married sons. Mr. and Mrs. P fled from Russia in 1918 and found temporary asylum in Turkey. From there they resettled in Yugoslavia where their sons were born and Mr. P taught engineering at

the University of Belgrade. They left Yugoslavia in flight from the Communists, leaving everything and ended in a DP camp. When they had been here 8 months, with the help of an American family, they bought a house in Evanston. Father and oldest son, who are graduate engineers, have good jobs, and the youngest son worked in a Diesel-engine plant and studies engineering at the University of Illinois at night. The young wives work in a Skokie candy factory. Two months ago Nicky, the young son and 23, was drafted. While his mother and wife are sad that he is away, the whole family has a fine attitude and feels that as they are enjoying the opportunities of the United States they must also assume their responsibilities as future citizens. They have first papers, of course. Mrs. P. often comes to services in our church, and sat next to me at a guild luncheon yesterday.

Mr. M, his wife, and small son Peter have made good adjustments and have had an interesting job transition. Mr. M., who used to teach English in Hungary, now teaches Hungarian in the Berlitz School of Languages here. Mrs. M. works in the local bank and loves it, and Peter is as fluent in American idiom as your son and mine.

The second family of M is a young White Russian couple. Soon after their arrival, Mrs. M bore a son. When she was ready to leave the hospital, the baby had a digestive upset and was kept for a few more days. The M's, who did not speak English, didn't understand why the hospital kept the baby but thought it was a strange American custom. When Mr. M's employer discovered the situation on inquiring about the baby, he phoned the hospital to hear that the baby was fine and the hospital was desperately trying to find the M.'s to give them their son. When Mrs. M was told that her son was an American, just because he was born here, she was so happy she burst into tears.

I've saved the best until the last. Our own Mike is formerly of the Ukraine. Mike is 25, speaks five languages. Three years ago he spoke no English and this year he was awarded a graduate fellowship in math by Northwestern University. Mike is an important part of our family. He and our son John, 18, are as brothers, and each has gained much from association with the other. Mike has a great sensitivity to the needs of others and an innate sense of rightness and fair play. Best of all, he has a never-failing but gentle sense of humor. He has acted as interpreter for most of our newcomers—not only languagewise but in helping each of us to understand the point of view of the other. He takes an active part in the young adult group of our church and is known and liked throughout the community.

I hope these remarks will make vivid for you why I feel we need emergency legislation to resettle our fair share of refugee peoples and why I feel that we need them in our economy and culture.

The CHAIRMAN. Thank you very much.

The hearing will now be recessed until 1:30 o'clock this afternoon.

(Whereupon, at 12:30 p. m., the Commission recessed until 1:30 p. m. of the same day.)

HEARINGS BEFORE THE PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION

WEDNESDAY, OCTOBER 8, 1952

TWELFTH SESSION

CHICAGO, ILL.

The President's Commission on Immigration and Naturalization met at 1:30 p. m., pursuant to recess, in room 237, Federal Building, 219 South Clark Street, Chicago, Ill., Hon. Philip B. Perlman (Chairman) presiding.

Present: Chairman Philip B. Perlman and the following Commissioners: Msgr. John O'Grady, Rev. Thaddeus Gullixson, Dr. Clarence E. Pickett, Mr. Thomas G. Finucane.

Also present: Mr. Harry N. Rosenfield, executive director.

The CHAIRMAN. The Commission will be in order.

Rev. Alpar Forro will be our first witness this afternoon.

STATEMENT OF REV. ALPAR FORRO, O. F. M., ST. EMERIC'S CHURCH, MILWAUKEE, WIS.

Reverend FORRO. I am Rev. Alpar Forro, pastor of St. Emeric's Church, 1017 North Seventeenth Street, Milwaukee, Wis.

I have a statement I would like to read.

The CHAIRMAN. You may do so.

Reverend FORRO. Ex-displaced persons: It is my opinion that those displaced persons with whom I have dealt have made an excellent effort to adapt themselves to the American way of life. Generally speaking, they have proved to be industrious and anxious to support themselves. The language barrier has forced most of them into unskilled labor.

The American people are, with few exceptions, kind and sympathetic toward these immigrants. Immigrant children are usually well liked in the schools for their friendliness and eagerness to learn.

In my estimation, the situation of the older ex-DP provides the greatest problem. In many cases they must engage in work which is incompatible with their strength and health. This is due to the fact that breadwinners in large families do not earn enough to care for the older members.

Another observation is in order concerning the necessity for men and women who have done professional and white-collar work all their lives to take up manual labor for which they have neither the experience, inclination, and, often, the physical fitness. Ex-DP's

of this type usually speak several foreign tongues and are, therefore, more readily disposed to master the English language, given the proper opportunity. The ordinary courses in English offered to immigrants, however, are too elementary and too slow for them. With a good grasp of English, they might secure positions more suited to their training and capabilities.

These ex-DP's have a first-hand knowledge of communism. It is to the interest of the American people to learn of the experiences which were had by people who actually are the victims of Red domination. This is particularly true of their own nationality groups. Communist agencies in the United States and Canada are doing their utmost to discredit the ex-DP and place a wedge between him and the American citizen precisely for the purpose of counteracting anticommunistic sentiment.

Displaced persons in Europe: In some foreign countries where displaced persons seek refuge, working permits are denied them. In other countries—e. g., France and Germany, where they are permitted to work—the unions are under Marxist domination and are trying to increase hostility toward DP's. In many factories it becomes impossible for the DP to remain on the job, because they claim to be anticommunistic and antisocialistic.

It is hard for them at this time to go to Australia or South America because the rate of unemployment is already high and the plight of previous DP's in those places is an unhappy one.

America is the only alternative for these peoples. If those who have already settled here have, for the most part, proved worthy of a haven in our country, then we should do everything possible to afford the same opportunity to those who still look to us for help.

The CHAIRMAN. Thank you, Father.

Is Mr. Horatio Tocco here?

STATEMENT OF HORATIO TOCCO, REPRESENTING THE AMERICAN COMMITTEE ON ITALIAN MIGRATION AND THE CIVIC LEAGUE OF ITALIAN AMERICANS

Mr. TOCCO. I am Horatio Tocco, 77 West Washington Street, Chicago, Ill. I have been a practicing attorney for upward of 30 years. I appear in behalf of the American Committee on Italian Migration and the Civic League of Italian Americans, which is an organization that embraces various organizations of Italian groups here totaling close to 15,000 members.

I have a statement I would, with your permission, read.

The CHAIRMAN. You may do so.

Mr. TOCCO. I justify my appearance before this distinguished Commission by no pretensions other than a modest practice of 20 years before the Immigration and Naturalization Department.

At the outset I should like to remark that, in my opinion, the Commission need expend no energy in an effort to improve the administration of the immigration laws. As a result of my direct experience with the Immigration Department, I can earnestly say that no other Government service is better endowed with men of impeccable qualification and patriotic purpose.

Rather, I should like to direct my remarks to what I regard as the outstanding deficiencies of the immigration laws—deficiencies that have persisted through the years, even to survive the thoroughgoing and commendable revision termed the McCarran Act.

Before the act became law, the Honorable Senator Douglas, fortified by exhaustive research in this field, addressed the Senate on the subject Major Defects in the McCarran Immigration Bill. I cannot conceive how it would be possible for anyone to challenge the merit of his observations. I choose rather to believe that Congress was impressed with so much of the act, considering its magnitude and scope, that it was not of the proper temperament to receive constructive criticism.

I find most objectionable the provisions dealing with the quota system and am certain that incalculable harm will result if a remedy is not quickly found. The numerical limitations based upon national origin and the refusal to allocate unused quota to nations sorely in need of such relief are an inheritance from the past and were in their inception predicated upon and tainted with a vicious and arrogant bias.

I am a proponent of reasonable restrictions on the sum of immigrants to be granted admission, but I am certain that the enlightening American mind repudiates as discriminatory and absurd laws which offer liberal quotas to north European countries which neither require nor avail themselves of such quotas and simultaneously allot quotas meager to the point of insult to south European countries. The countries which need economic relief are the countries we are most apprehensive of retaining as allies in our struggle against undemocratic ideologies. We recognize this problem by offering them pecuniary aid that is not designed to be more than tissue-thin, but we feel that the patronizing gesture will accomplish our ends. This approach, while wholesome to a limited extent, is of microscopic benefit unless a constructive immigration policy is inaugurated. It is the immigrant who provides the only direct and personal touch with the people of his native country. Every immigrant in America has scores of friends and relatives abroad to whom he communicates his affection for America. For example, it was such a phenomenon that accounted for the influence of American opinion in Italy during recent Italian elections. Democracy has been in such precarious balance in Italy that I am convinced that the affection of Italians for America through direct personal contact has been the decisive factor.

I speak of Italy because I move in an environment of Italian-Americans and therefore am kept abreast of Italian problems.

In Italy we witness the phenomenon of 48,000,000 persons endeavoring to sustain themselves upon a strip of soil worthless except for its esthetic features. In consequence, Italy's economic worth is the sum of its people's talents in the esthetic spheres. These are obviously inadequate, and it is apparent that the only peaceable method of relieving the pressures of overpopulation is through emigration.

America is sorely in need of skilled workers such as tailors, cobblers, masons, plasterers, and others, ad infinitum. America needs all the allies it can muster in Europe.

America's immigration policy is obsolete and unworkable.

I submit that this Commission should recommend substantial enlargement of the Italian quota as well as to other low-quota countries.

Commissioner O'Grady. What are your views regarding the national origins theory?

Mr. Tocco. I have this suggestion to offer, Monsignor O'Grady, with reference to national origins: If it were at all possible to base the formula not on 1920, but bring it up to, say, 1950.

The Chairman. Thank you, sir.

Is Reverend Bosler here?

STATEMENT OF REV. RAYMOND BOSLER, REPRESENTING THE INDIANAPOLIS COMMUNITY RELATIONS COUNCIL, INDIANAPOLIS, IND.

Reverend Bosler. I am Rev. Raymond Bosler, 4615 Sunset Avenue, Indianapolis, Ind. I am editor of the Indiana Catholic and Record. I am appearing here on behalf of the Indianapolis Community Relations Council, 520 K. of P. Building, Indianapolis, Ind.

This situation, gentlemen, rather reminds me of a certain type of preacher that rambles on in prayer for half an hour or so putting God right about what is wrong with the world. There is little that I can tell you that you don't know better than I. I merely want to say that my presence here is an indication of something. I have no personal ax to grind nor has the Indianapolis Community Relations Council any ax to grind. I came 200 miles here this morning on a day when I should be at the home. This is the deadline today for my newspaper. That is an indication that I am interested personally.

I have been requested to appear by this organization I represent, which was founded in 1945 for the purpose, primarily, of eliminating entirely religious, racial, cultural prejudices in our city and county. We are intensely interested in bettering our laws regarding immigration.

Now, the very fact that I represent this council, I think, is also very significant. In the days when I was a very young boy, the Ku Klux Klan was rampant in Indianapolis. Pretty much the heart of it in the country. At that time it would have been pretty hard for a Catholic priest to represent the city. But things have changed. The fact that they have asked me to come here is, I think, most significant. It shows that things have changed in this country and there I think lies the most objectionable feature to our new legislation, if you can call it that: it fails to take into consideration the changes that have taken place in this country in the last 30 years and tremendous changes have taken place.

I cannot come to you as an authority on the subject. I don't claim to be an expert. We don't claim in Indianapolis to be experts. But we feel something should be done; that the legislation will become our law and it is a disgrace.

I think, personally, it is an infamous law. It is a disgrace to us as people.

In answer to a question previously brought up by a member of the Commission here, it seems to me that the primary basis must be need, the need of the people outside of this country to find a place to live because human beings have got a right to live, not only Americans but all human beings.

We can't let everybody in here. We can't possibly do that. We must have some sort of quota. We have got to have some elimination, but why can't that be determined by a certain number each year? Whatever that number should be I don't know, but why can't it be determined that way and, other than that, not by national origins—which is a slap in the face to Asiatics, a slap in the face to the people of southern Europe and of eastern Europe—but rather by need.

That is practically the plan we have been following in our DP program; it is need. It seems to me that is what we are going to have to do primarily.

I have mentioned things not covered in the prepared statement I wish to submit, but that represents the thinking of the Indianapolis Community Relations Council.

The CHAIRMAN. Thank you very much. Your prepared statement will be inserted in the record.

(There follows the prepared statement submitted by Rev. Raymond T. Bosler in behalf of the Indianapolis Community Relations Council:)

OCTOBER 8, 1952.

This statement is submitted on behalf of the Indianapolis Community Relations Council (hereinafter referred to as the council) Indianapolis, Ind. This organization was established in 1945 to promote the process of true democracy by aiding in the elimination of intolerance, racial, religious, and cultural prejudice, and discrimination in all of its forms in the city of Indianapolis and Marion County, Ind.; and to continue to maintain and foster within the communities which constitute the city of Indianapolis, Marion County, Ind., the high principles embodied in the Bill of Rights and the Constitution of the United States. It is to be further understood that this council was founded upon a nonsectarian basis working toward the betterment of the general welfare of all our American people irrespective of their religious, racial, social, economic, or national backgrounds.

The council would like to compliment the President's Commission on Immigration and Naturalization on the decision to hold hearings in various parts of the country. These hearings will help you secure the wishes and the will of the people throughout our great Nation. During the hearings and congressional debates on the McCarran-Walter bill, citizen groups and private agencies expressed criticism of individual sections of the present law and the McCarran-Walter measure which will become effective on December 24 of this year, as the immigration and naturalization law of 1952. It is because the last Congress failed to consider these criticisms, that citizens, groups, and private agencies must again today point to the many inadequacies of our present immigration system.

The council has no special private cause to plead * * * no special selfish interest in the improvement and liberalization of our immigration laws, except that of Americans primarily concerned with the establishment of new laws and the safeguarding of basic laws to ensure democratic principles.

Immigration laws should express a society's basic human values. They should deal with our relationship with all people. These laws affirm and establish the extent of our acceptance or rejection of the essential quality of all human beings. As an organization dedicated to the task of ridding society of all forms of prejudice and intolerance, we believe that immigration laws classify our prejudice or our freedom from prejudice.

It is our opinion that the immigration laws have been regarded and administered with a design to exclude those who seek admission, a kind of device which allows only those to enter who are fortunate enough to emerge from the maze of obstacles. It is unfortunate that throughout our immigration law, we find thinly disguised hostility, which is codified and made more pronounced in the immigration and naturalization law of 1952.

We believe strongly our obligation to protect ourselves against those individuals who seek to enter the United States to perform criminal acts or in order to subvert our democratic system of government. We realize that we cannot have unlimited immigration into the United States and that, therefore, the prin-

ciples of selection must be established to choose the limited number of the many who seek entry; however, we should not establish such principles of selection on the basis of hostility and racial discrimination. This would be harmful to a strong and secure democracy.

Immigrants on entry should be made to feel welcome, rather than suspected. It is our belief that the primary responsibility before the Congress of the United States is the recognition that the immigration bill, as recently enacted, needs much revision and amendment. It has been demonstrated clearly since the end of the war, that our present quota system is inadequate. We were therefore compelled to resort to emergency legislation in order to admit displaced persons. Allowing such a quota system to remain unchanged leaves only the alternative of similar emergency legislation in order to admit any substantial portion of the refugees from totalitarianism or the victims of overcrowding in Europe. This seems analogous to the taking of pills for the cure of cancer. A real diagnosis of the immigration law codification should dispel the need for emergency legislation. If we eliminate the national-origins-quota system from our basic immigration law, we would be able to cope with the emergency situations which the Celler and Henderson bills of the last Congress tried to meet through piecemeal legislation.

The national-origins-quota system was adopted in 1924 and has been used ever since. It was adopted in a period of unemployment, when the Ku Klux Klan was a powerful and influential force in American life, when a post World War I wave of isolationism and xenophobia was sweeping the United States and seems to us to have been a deliberate legislative maneuver.

In the year 1952, it seems to us there is little need for pointing out that a national origin system based on bigotry and ignorance is not only unfashionable, but is un-American and can serve this Nation a terrible blow in our struggle to overcome the sinister Communist aggressions and charges.

We believe that the concept of deportation, except for fraud or illegal entry, as employed in present immigration statutes should be abolished. We do not believe in the concept of indiscriminate deportation of any person admitted into our great land for permanent residence. We believe that the distinction between native-born and naturalized citizens in our immigration laws should be eliminated as contrary to the spirit of democracy and the Constitution of our land. People admitted for permanent residence should be punished like any other American citizens. To deport them indiscriminately is inhuman and un-American. It punishes their innocent families. We believe that there must be a period of limitation after entry following which an alien will not be deportable.

We believe that our immigration laws must always provide for adequate judicial review of administrative decisions. Bearing in mind that safeguards to protect the national security must be maintained, we caution against the use of measures which violate the American concept of justice as do many of the provisions of our existing immigration codes.

Other specific objections against the present McCarran law may be cited as follows:

(1) The continuance of waste of half of the allowable quota numbers each year.

(2) Discrimination—

(*a*) Against orientals.

(*b*) Against would-be immigrants from Jamaica, Trinidad, and colonies of the West Indies, most of whom are Negroes.

(3) The present law perpetuates 1920 as the base year for computing quotas, rather than using the year 1950. It seems to us that the 1952 Immigration Act fails to recognize the present composition of our population and ignores the many changes in the last 30 years.

(4) The McCarran Act eliminates the statute of limitations in many deportation cases. It also creates numerous grounds for deportation not easily subject to judicial review.

(5) The act eliminates from quota-exempt immigrants such groups as professors. It contains restrictive provisions which pose new and difficult literacy requirements for victims of racial and religious persecution and for the near relatives of citizens of legally admitted aliens.

In conclusion, may we point out the significant opportunity of this Commission to recommend the shaping of immigration and naturalization laws, so that they conform better to American ideals and experience, requiring equal treatment of all persons and the fullest guaranty of basic civil liberties. We believe that

our immigration and naturalization laws must be clear of all taint of racial, religious, and ethnic discrimination.

Respectfully submitted.

Rev. Raymond T. Bosler
(For the Indianapolis Community Relations Council).

The Chairman. Is Mr. Nicholas Pesch here?

STATEMENT OF NICHOLAS PESCH, PRESIDENT, AMERICAN AID SOCIETIES

Mr. Pesch. I am Nicholas Pesch, 3500 West North Avenue, Chicago, Ill. I am representing the American Aid Societies of which I am president.

I have a statement I would like to read as president of that organization.

The Chairman. You may do so.

Mr. Pesch. The last war left us with conditions in the world perhaps never experienced before in history. Whole countries were shaken out of their economic foundation. People were scattered all over the world and could not find a place for work or rest, and finally had to be cared for by an international organization. Slowly it was recognized by all concerned that this feeding and caring for these destitutes was not a permanent solution.

It developed that permanent living and working places had to be found for a good many people, unless we wanted to risk a graver situation to develop, such as diseases, or even political or economical upheavals.

So the work was started by UNRRA and later continued by the DP Commission. This proved to be a good start and a step in the right direction. It has been reported that about 500,000 people have been resettled by these agencies, and we, the American Aid Societies believe, commendable as that may be, we the people of the United States of America could afford to do more in that direction. We believe that now is not the time to look for somebody to blame for the terrible conditions that exist at present in the world, but rather should we examine the conditions and try to eliminate some of the worst features of it.

We, the people of the United States should try to do our fair share of this unavoidable task, in order to induce fair-minded people of other countries to do their share also.

May we remind the Commission of the situation as it exists in Germany, where even at present many thousands of refugees cross the border into Germany every month—also into other countries. Germany as well as these other countries have to do everything in their power to feed and house these people, which is no small matter.

Therefore, we of the American Aid Societies wish to suggest to the Commission, and through the Commission to the President of the United States, and to Congress, that a new emergency legislation should be enacted at once, and that such emergency legislation should allow several hundred thousand people to enter our country, and that all people in Europe, who are not behind the iron curtain, should have a fair share in this immigration program, according to their need.

We not only believe that our country will gain materially by this move, but also will strengthen the belief of the suppressed people in Europe in unselfish devotion to morals and ethics amongst people and nations in the world.

The American Aid Societies accepted the task to care for ethnic Germans, but believes that all national and religious groups should get equal consideration.

The CHAIRMAN. What are the American Aid Societies?

Mr. PESCH. The American Aid Societies was organized in March 1945, after the war was nearly ended, and we found out what was going on in Europe. We made our task that of trying to help ethnic German people because the American Aid Societies is mostly Germans.

The CHAIRMAN. How many are in the organization?

Mr. PESCH. We have eight chapters in the United States and the membership could be around 20 to 25,000.

The CHAIRMAN. Scattered all over the country?

Mr. PESCH. Yes, and we have sent packages of food and clothing and we assisted all we could in bringing people over here where possible in the DP Act. We brought in, I would say, about 8 to 10,000 people.

Mr. ROSENFIELD. Mr. Pesch, have the American Aid Societies taken any position or given any thought to the long-range immigration law as distinguished to the emergency law you have spoken of?

Mr. PESCH. No; we have not. We think if we would start to remake the present law it would take too long a time to be of any aid to those people who most need it right now.

We are not altogether satisfied with the present immigration law, but we did not come here with the idea to point out the wrongs and difficulties with that law.

Mr. ROSENFIELD. Mr. Pesch, will you tell the Commission a little bit more about what you mean by your statement that you are representing the ethnic Germans, what groups that represents in Europe?

Mr. PESCH. That is groups born outside of the German borders and either were driven out, or more or less forced out of their former homes.

Mr. ROSENFIELD. Does that group consist of persons born outside Germany who would be charged to quotas other than that of Germany?

Mr. PESCH. Yes. The German people have a legal government which can care for their people better than we could; but these people driven out of southern Europe and eastern Europe have nobody to fight for them and we thought they need a little help.

The CHAIRMAN. Thank you very much, Mr. Pesch.

Is Dr. Archie A. Skemp here?

STATEMENT OF ARCHIE A. SKEMP, M. D., LA CROSSE, WIS.

Dr. SKEMP. I am Dr. Archie A. Skemp, of La Crosse, Wis. I do not represent any organization.

The CHAIRMAN. We will be glad to hear you.

Dr. SKEMP. Mr. Chairman, right reverend monsignor, reverend fathers, and gentlemen of this committee: I was greatly surprised when I had this invitation to appear before you because I have, as far as this subject is concerned, probably a relatively poor foundation in

much of the technical knowledge and a lot of the great issues that are involved. But I appreciate the opportunity of coming here and hope that a few ideas that I may present may be of some value in the elucidation of this problem.

When I got up at about 5:30 this morning I felt really that it was one of the great days of my life, because I realized in coming down here I would have a terrific change in my routine and have the opportunity of meeting and talking to people who are interested in one of the major problems of our time, and also maybe in giving the perspective and idea of a general surgeon I could give you something a little bit different than the rank and file will give you.

Before I came down I went to the hospital in which I work, and went to Mass and meditated a little bit, and after I was there about 10 minutes someone tapped me on the shoulder and said "please come up on the second floor as quickly as possible because I think my father is dying." I felt then like an immigrant, and I had to go to the second floor and watch Joe die. Joe, too, was an immigrant. He was going to the Great Beyond which is generally known as the Real Kingdom.

The train left promptly at 9 o'clock and it was really a marvelous thing to be in this beautiful empire and have the opportunity of going down the east bank of the Mississippi and see nature in all its grandeur. The hillside was beautiful and the water calm and placid, and it seemed to be a fine opportunity for meditation and orientation for the problem that is mine tomorrow.

I had just settled down when the brakeman came up and recognized me and talked to me; hadn't gone far when we saw a cabin in the hills. He said, "That is mine." I said, "That is wonderful." He said, "I have 5 acres there and I find it makes me feel like a millionaire." That was the only cabin in 20 or 30 miles. I couldn't help but feel that if all land utilized in that side of the river was utilized as this brakeman was doing, it would probably furnish food and shelter for hundreds of people.

As the train went further south we came in from the Mississippi bottom and saw thousands of acres of land lying idle; land of astounding fertility. There and now a fishing shack or some cabin, but nothing was being done with the soil. Again the thought came to me, if we could only utilize all the land lying idle here it would take care of thousands of those people in Europe and Asia who are not really getting enough to eat.

I walked to the left side of the train and took a peek at the hills as we passed them, and on these hills saw thousands and thousands of logs rotting and no one attending to them, and you can't help but feel that if we could cut them for firewood that we could keep thousands of people warm.

It was about time then to gather a few thoughts on this little paper, which I did, and drew up a few notes, and before long a little Italian came up to me. He said, "long time no see." I looked at him in astonishment and wondered if I had forgotten somebody I had seen. He said his name was Pentalli. I said, "Was I supposed to know you?" He said, "I meant now long time no see this country." Then he said, "I am just coming back to Seattle, and on my last furlough before going to the Orient as aviator." Then I remembered Archbishop

Kirk's paragraph concerning the injustices being done and how some people like the Italians have received very meager and probably very uncharitable attention in this immigration program, and the train was on time, and I got here just a few minutes ago, and I have just about caught my breath.

The preparation I made is a map of the Southwest and the territories of the Southwest: Arizona, New Mexico, Texas, California, Kansas, Utah, et cetera. For instance, Texas with all of its square miles and comparable to the area of Germany, represented here in square kilometers; New Mexico, with 121,000 square miles, is comparable to the British Isles and half of Austria; but the astonishing thing about this deal is that in every instance the population is only a fraction of the population of the countries of comparable size in Europe. For instance, the British Isles—England, Scotland, and Ireland—with an area of 89,000 square miles has a population of approximately 45,000,000; Wyoming, with 97,000 square miles, has 290,000 people.

Of course, we are all aware of this thing, but very little is done about it. The striking thing about it is a lot could be done about it and the whole question here in my mind is the question of trying to bring to this territory water, and this is what we are wasting in an ungodly fashion.

Surrounding this territory I have drawn lines that are geographically schematic and probably inaccurate, but they give the over-all idea. On one side I have the Mississippi River and on the other side I have the Colorado River, and below have the Rio Grande, and across the top I have the Missouri River. Now, these streams carry millions and millions of gallons of water and millions and millions of tons of topsoil that we dump into the ocean. And our technical knowledge of today is advanced to a point where this water could be saved and this topsoil could be saved and we could flow into Wyoming and Colorado and New Mexico and Arizona and Texas and Oklahoma millions of gallons of water that would take care of hundreds of millions of people. There is just no question about that. That could be all proved.

One of the most dramatic things I have read for a long time is the story of Holland and their anxiety to get enough to eat and their agricultural problems, and they have found it necessary to pump out the ocean water so that they may reclaim the bed of the ocean and it is a great honor in Holland to get the bed of the ocean to work for it and to create the food for the Hollanders.

In order to do that, people have to pass an examination in order to get some of this land. They have to show that they are adept in agricultural science and know about soil chemistry and they are looked upon as specialists and technical people, and it is an honor to get some of the bottom of the sea.

Half of the 10,000,000 people live below the level of the sea. In a temporary fashion, instead of pumping water out of the ocean, we are pumping our topsoil and our water into the ocean and it certainly wouldn't be a far stretch of the imagination if we can take gas and oil from Louisiana and Texas and pump it into New York, we probably could take pumps into the Missouri River, Mississippi River, Colorado River, and the Rio Grande, and all their tributaries, and pump that water into the desert where the soil has almost unlimited fertility and where really a bread basket could be created to take care of literally millions and millions of people.

One of our big problems, too, is the problem of marketing. At the present time our economists are somewhat concerned about the postwar period, figuring that after the war the manufacturers, the great manufacturing industries of our countries like General Motors, General Electric, Westinghouse, and all the others will go into a slump because there won't be a market for this stuff and those of us who have lived over 50 years can visualize a rehash of the late twenties and thirties when the labor market was flooded and people had nothing to do because then the General Motors and Westinghouse, et cetera, were laying off people.

If we had a market in our Southwest we would certainly have practically all the market we needed and many of our economic problems would be solved because we would have at our own front door a number of consumers who could readily take up a lot of the slack that would occur in case of a letdown from lack of war orders and so forth.

We have also in all the rest of the United States, except probably a few of the States in the East, the small States like Rhode Island and so forth, comparable situations. In the State of Wisconsin we have a mileage comparable to that of England and a population probably about 10 percent of that of England, and many of those countries when they are really put to the real test of blockade of war and so on can get practically enough out of their own soil to keep on living.

I think the average human being has failed now to recognize the progress that has been made in agriculture. A few months ago, writing in the Farm Journal, Gruenfield said that the human being can in a few years time do as much as nature can do in, oh, 10,000 years, and he enlarged on that thought by telling how by proper farming, by the planting of legumes, and by practicing sound scientific agricultural principles that we know of at the present time, that this soil of ours can be brought back into a paradise, and 1 acre now lying idle can produce enough to take care of many people.

About 2 years ago a farmer had his picture in a farm journal and he was the winner of the Northern Peninsula Potato Growing Tournament, and in 1 acre of his he produced something like 850 bushels of potatoes. I made a rapid computation of the acreage of that county and figured that on that basis it could almost grow enough potatoes to take care of the entire United States of America.

One more mistake we see is tons and carloads of food that we haven't got a market for, potatoes and apples and what nots that we cannot get to other consumers because of our serious mistakes like in population distribution. Our other sources of life as yet have not been tapped. When we consider the Mississippi River that could probably furnish enough nitrogen to take care of the nitrogenous needs of the Northwest if we could clean out the sludge and take care of those fish in there; when we take care of our destruction of sewage in our canals and so on, those things could be kept clean and take care of our fish and care for the soil so its productivity could take care of these people.

I think in considering this problem we want to defend a few principles such as the fact that you can't overproduce. It is inconceivable that production can get to a point where it will be a danger to a country. I don't think either it is possible to overpopulate. It is a fascinating thing to walk into a valley where probably a potato or cabbage plant hasn't been for generations and plant a potato or plant

a cabbage plant and find out that within a few months or few weeks all the destructive bugs will be on those plants in order to keep what you might call the battle of nature, because nature will take care of that. There won't be too many potatoes or cabbages or too many people. There won't be too many of anything. That is all in God's scheme of things. There is always something coming up to level things off and preserve these things.

Commissioner O'Grady. How many displaced persons farm families have you helped resettle?

Dr. Skemp. I haven't kept a record of the families, but I think about 200 people have passed through the State with us or passed through our little program.

Commissioner Pickett. Have you had any problem of undesirable people from the national welfare point of view?

Dr. Skemp. No, sir. Every man that I have had was a gentleman, some were sick and some were feeble and some wanted to live in big cities; they all had the same weaknesses I have, you know, human weakness, and the problem of physical weakness and suspicion. That was one of the big things. They thought behind everything you tried to do was an ulterior motive. They couldn't conceive of someone doing something for them who wasn't trying to get something out of it for himself. It just seemed it was impossible.

I honestly felt the people I had were just as good as myself or like the people in the community.

The Chairman. Thank you, Doctor.

Mr. Charles V. Falkenberg.

STATEMENT OF CHARLES V. FALKENBERG, REPRESENTING THE COOK COUNTY COUNCIL OF THE AMERICAN LEGION, DEPARTMENT OF ILLINOIS

Mr. Falkenberg. I am Charles V. Falkenberg, 2745 Logan Boulevard, Chicago.

I am here at the suggestion of the commander of the Cook County Council of the American Legion, department of Illinois, in Chicago, Ill., to speak in behalf of a resolution which the Cook County Council adopted at its meeting on Wednesday of last week.

I will read the resolution, if I may.

The Chairman. You may do so.

(There follows the resolution read by Mr. Charles V. Falkenberg on behalf of the Cook County Council of the American Legion, department of Illinois:)

"Resolution

"Whereas the ranks of the unemployed, and in particular in the larger metropolitan areas, according to statistical employment figures, are steadily growing; and

"Whereas men and women serving in the Armed Forces of the Nation must be protected job-wise upon their return to civilian life; and

"Whereas hundreds of American families are reported as having been or about to be evicted from their living quarters to make room for peoples, generally displaced persons of Europe and Asia imported into this country; and

"Whereas the American Legion and all its affiliated groups must, if they are to justify their existence protect the American standard of living; and

"Whereas the sympathy of all goes out to those unfortunate peoples of other lands, but we of America must remember that charity begins at home, and until

such time as our own unemployment and housing problems are solved for the American people, which means and includes jobs and adequate housing for GI's now in service, upon their discharge therefrom, we must postpone the entrance into this country, particularly into our metropolitan areas, of several million more displaced persons who, it is reported, are soon to be permitted entrance into the United States, and in the end that the number of our own unemployed may be kept to a minimum and that no American citizen may be evicted from his home, be it tenement, residence, or apartment: Now, therefore, be it

"*Resolved*, That the American Legion through its national commander petition the President of the United States of America and the Congress to defer the contemplated importation of another 3 million displaced persons until such time as the unemployment within this country be decreased to a minimum and adequate housing facilities become available to all American-born men, women, and all naturalized citizens."

Unanimously adopted by the first division, department of Illinois, in regular meeting assembled in Chicago, Ill., October 1, 1952.

IRVING BREAKSTONE, *Commander*.

Commissioner O'GRADY. What is the source for the figure of several million you read in the resolution?

Mr. FALKENBERG. Very frankly I cannot give you the exact figures, but those are the figures which were given to those who attended the national convention of the American Legion in New York.

I don't know where they got them, whether they are authoritative or whether they are results of talks made by the federation or others at the convention, or whether they are the result of some bills or something that some Congressmen or Senators are about to introduce. I don't know.

Commissioner O'GRADY. Would you tell how the resolution you read was arrived at?

Mr. FALKENBERG. May I say this: this resolution originated in Logan Square Post. A brief study was made by a committee. They then presented their results to the post, which has about 400 members.

The post then refers it to the district which represents 51 posts. The 51 posts refer it to their appropriate committee. There may be some type of a study. I wasn't on the committee so I can't tell you. They then report to the executive committee of the ninth district; the ninth district executive committee recommends or rejects. They recommended approval of it.

It then went to the delegates to the 51 posts who endorsed it. It then went down to Cook County where the same procedure was followed. The Cook County consists of 400 posts and it is a larger county organization than any department in the Legion excepting those of five States. If we passed it, as we did, it goes to the department executive committee at the Illinois department at Wilmington; it will then go to the national executive committee of the Legion who will then study it.

They will then refer it to their standing committee. Their standing committee will either amend it, qualify it, endorse it, elaborate on it, or recommend rejection or approval. When they have done that, the final job will be to present it to some legislator or to the President of the United States.

When they get through it may turn out that instead of 3 million it might be 100,000 or 8 million. They will assemble all the figures which will be authoritative by the time it gets back to the White House or to the Congress.

Mr. ROSENFIELD. Mr. Falkenberg, may I suggest that the Logan Square Post might take a look—I think there is a typographical error there—what they are probably referring to is the President's proposal of 300,000, rather than 3 million.

Mr. FALKENBERG. It is probable. Somebody told me that somebody had suggested Senator McCarran had something like three, four or five thousand in addition to the President's proposal.

The CHAIRMAN. No, it is Congressman Celler in the House who has a bill for 300,000.

Mr. FALKENBERG. It may be that. Our position is that we are not against anybody coming in whether he is brown, yellow or white or black, if by coming in he doesn't prevent an American-born individual, particularly a member who honorably served his country in time of the country's need, whether Spanish War veteran or World War I or II or a man over in Korea in a police action. We want to make sure they are taken care of first. When that is done we don't care what is done to somebody else.

Commissioner PICKETT. Do you think that the actual condition of the labor market today was considered when your resolution was drafted?

Mr. FALKENBERG. I think you will find out if you will take the American Federation of Labor figures on unemployment and compare them with National Industrial Conference Board that you will find they vary as much as 7 million. If you will take the unemployment, one has a maximum number of 11 or 12, and others have an unemployment of 16 or 17 million. I don't profess to be an expert on this. I think the Legion and other veterans' organizations think—and I believe rightly—that nothing should be done to prevent a native-born man in having that home and having that job, before giving it to other people.

I listened to the very interesting gentleman a few minutes ago. About 6 months ago a lady born in Poland but who was displaced into Germany was referred to my wife to do some housework. She had a husband and she had three children and she had a grandchild. The grandchild was 5, the children 8, 9, and 14. They lived over on Chicago Avenue at Ashland Avenue, six of them in a one-and-a-half room at $50 a month with one window, one door and five families using the toilet. I think that is a disgrace to bring anybody over here and put them into that kind of housing. They now live at 143 Ballina Street in a basement. All the openings are covered with bricks or metals so the rats don't get in. They have two beds for six people. The father and boy and wife sleep in one, and three girls in the other. I think it is inhuman to bring anybody as a displaced person into a country like the United States and say we are giving you adequate housing. This isn't the only one. There are a great many of them. We don't want to go back to standing on a corner. Once our fellows and their children and families have been taken care of, we don't care if you bring in 140 or 150,000 or 15 million, provided you can get them in some place where they should be and not in all the metropolitan centers.

Commissioner O'GRADY. Do you favor a quota system based on national origins?

Mr. FALKENBERG. I don't profess to have any knowledge nor experience in that. I have listened to both sides of it. I have listened to

the Republicans lambast the Democrats and the Democrats lambast the Republicans.

If the Legion had a specific program I would be glad to give it to you. I don't know what it is, if they do have one. But I think they are in favor with the general principle embodied in this resolution. We don't want anybody in if it is going to penalize the native-born or if it keeps him out of a job or housing.

Mr. ROSENFIELD. Mr. Falkenberg, would you be in a position to advise this Commission whether in your judgment the farm communities of Illinois or of the nearby States suffer from the same kind of employment and housing situations you mentioned?

Mr. FALKENBERG. I don't know authoritatively. I was told this in the number of years I have listened as an attorney for the Veterans Assistance of Cook County and a member of Cook County Public Welfare Advisory Board in the number of years I have listened. We need 1,200,000 new housing additions every year. We never produced more than around 800 to 900,000, so every year we fall behind two, three, or four hundred thousand in addition to those we need. That is due to the fact there are fires or they are falling apart from old age or something. But my offhand impression, without trying to be an authority on it, is that that problem is peculiar to the metropolitan areas and not to the small communities.

Mr. ROSENFIELD. Then, is it possible—I am not asking you for obviously you said you are not aware of this specific thing—is it possible that other areas in other places in this general region might have a different point of view in connection with their labor needs?

Mr. FALKENBERG. I say not only possible, but very probable; and I would say this, too, and I think the Legion organization would agree with me: if you could bring in your one hundred and fifty or two or three or four hundred thousand persons and keep them out of metropolitan areas and put them on farms and rural areas and small communities you wouldn't find opposition.

Mr. ROSENFIELD. Would the Legion find that desirable?

Mr. FALKENBERG. I would say yes.

Mr. ROSENFIELD. Is your point that immigration might be one means of serving a national need that comes from too tight manpower, provided it is directed specifically to the areas with tight manpower?

Mr. FALKENBERG. And must stay there. Not 6 months and then come into metropolitan areas.

Mr. ROSENFIELD. Now, how long do you think they ought to stay there?

Mr. FALKENBERG. Just a wild guess, but I would say 10 years. I don't think it would solve the problem if you take a family a mother and father and six children from any part of Europe you wanted and put them into New Mexico for 3 years and then let them come to Chicago or Detroit and do that with 50,000 families or 75,000 families.

Mr. ROSENFIELD. How would Detroit have met the terrific demands upon it for labor in the last war if it didn't tempt people out of the hills of Kentucky and so forth and so on? Where would they have come from?

Mr. FALKENBERG. It would have come from the same place but would have dispersed or diversified the production. They should have put it out in different spots like we have in Melrose Park.

Commissioner GULLIXSON. Mr. Chairman, may I ask the witness how, under American liberties, one might be able to set a time limit

like 10 years during which people must stay out in the country away from the cities?

Mr. FALKENBERG. I don't think you can. I don't think legally or constitutionally or morally you can; but I think if you make a deal with the immigrants such as "we will waive the immigration requirements and permit you to come into the United States on the condition that you will do thus and so," then I think it is a binding contract and I think if you will take them where they don't want to be and let them stay there a definite period, for 10 or 15 or 20 years.

I have a naturalization and immigration case, and I have cases now trying to get people from Shanghai, and can't get them into the United States unless we get them into an in-between place. We are trying to arrange now to get them in South American countries, telling them specifically they have to stay from 10, 20, or maybe 30 years because of the number of persons trying to get in is so great. They will get visas to South America and ultimately come into the United States. They are glad to do it, if they can only get out of China.

Mr. ROSENFIELD. Let me pursue that point, if I may. If I understand your point it is that if we can bring people to rural areas where they are necessary that you, and you think the Legion would regard that as in the best interests of the United States, providing that these people agree to stay there for 10 years or longer, and, of course, with an implicit assumption in all this that there is screening against subversives and so on.

Let's assume for argument's sake that those agreements are made. I want to pursue your point anyway. Let's assume that is made and both abide by it; we will assume you pick any number of people you think may be necessary in the United States under this kind of arrangement; would you then choose them by national origins or would you choose them to meet the purposes that are necessary or would you choose them first-come first-served? How would you choose within this group the people you would bring to the United States?

Mr. FALKENBERG. I frankly have no idea, and have given it no thought; I don't know whether it is right to take them because of Slavs or whether Teutonic. I yield to the superior people in Washington.

Mr. ROSENFIELD. Would it be possible for you to file with the Commission the material from Logan Square Post which would give the background for this?

Mr. FALKENBERG. I should be glad to ask for it. How long before you are going to make your report?

Mr. ROSENFIELD. The report is due on January 1.

Mr. FALKENBERG. Maybe I can develop something at the next meeting of the Council and between now and December, which would answer some of the questions, and try to put the Legion on record in answer to some of the questions you gentlemen propounded.

The CHAIRMAN. We would very much like to have it.

Mr. FALKENBERG. It would be the first Wednesday in December if I could get it.

The CHAIRMAN. That is rather late.

Mr. FALKENBERG. We have a meeting on the fifth day of November. I don't know whether I can get it or not, of course.

The CHAIRMAN. Thank you.

Is Mr. Dimitri Parry here?

STATEMENT OF DIMITRI PARRY, REPRESENTING THE ORDER OF AHEPA—AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION—OF CHICAGO

Mr. PARRY. My name is Dimitri Parry, 7200 Oglesby, Chicago. I am a representative for the Order of Ahepa—American Hellenic Educational Progressive Association.

I have a prepared statement I will submit for the record and would like to make a few remarks.

The CHAIRMAN. You may do so.

Mr. PARRY. As you know, the number of Greeks allowed to come to this country is 310. That is because at the time of the date that was chosen to establish the number of people who have come from Europe, we hardly had any Greeks in this country. As a result of it, the number of Greeks allowed to come to this country are now limited to 310. I think it is a grave injustice to Greek people of this country and to the American people, and I think it should be corrected.

Another inequity that has developed as a result of this limitation is this: Originally as many Greek people would be permitted to come to this country as could have come, and as a result for the first 20 or 30 years 300,000 or 400,000 Greeks have come to this country and most of them have not brought their families, and it is because of this limitation of this quota system, you have a situation where families have been divided and cannot be united or reunited.

The CHAIRMAN. Are you saying you are in favor of emergency legislation, such as that contained in the Celler bill?

Mr. PARRY. I am in favor only as an emergency measure to take care of these 22,500 covered in that bill. Since I mentioned in my statement that I like to be practical in this matter and as long as there is a bill pending which provides for admission to this country of 22,500 Greeks I am in favor of that as an emergency measure, and I would like also to suggest that we change the law so as to permit a larger number of Greeks to come to this country every year.

The CHAIRMAN. Thank you, Mr. Parry. We will insert your prepared statement at this point in the record.

(There follows the prepared statement submitted by Mr. Dimitri Parry on behalf of the Order of Ahepa:)

I am of Greek parentage but have lived in this country long enough to know and observe not only what cultural contributions were made by the Greek immigrant to this country but by other immigrants that have come here from other lands.

If I dwell more on the Greeks and less on the others it's because I know the Greeks better and hence I am on firmer ground.

In speaking of the civilization we know—the western civilization—I need not tell you that it was born in Greece, hundreds of years before the birth of Christ in Bethlehem, in Judea. From the genius of the ancient Greeks came our essential philosophy, our understanding of the world of science and our essential appreciation of art. The whole world knows that it was in Greece that men first conceived the ideal of democracy. I am, however, not unmindful of the fact that the German, Italian, and Scandinavian peoples have produced some of the greatest musical artists. France has left us a legacy of beautiful music and beautiful living. Britain has given us the greatest poetry, great literature, and the common law.

All these and many more are a living symbol of the great treasures of art and culture and civilization which we have inherited from the Old World.

These treasures are a part of the American way of life, they are a part of our thinking.

Time does not permit me to go into detail about the many contributions to the world culture by the Greek people. That is a matter of history.

You as members of this commission have a right to demand of me that I be as practical in my approach to this problem and as specific as I can. How else can you be a fair judge and how else can you make an honest appraisal.

I believe the immigration law as it now stands is unfair to the Greek people. It limits the number that can come to this country to 310 a year. It is not a fair law for the Greeks of Greece, and it is not fair and just for the American people.

Permit me to tell you about the Greek people of Chicago. I have known them since my arrival to this city about 40 years ago. What I have to say is common knowledge. It can be verified.

To begin with, the Greeks have no forefathers who came over on the Mayflower. We have no members of the Daughters of the American Revolution nor Sons of the American Revolution. We were not here when California was passing out the gold in the gold rush era. I doubt if any of our fathers knew anything about the American Civil War and we came here too late to settle when there was an American frontier. In fact, all of the country had been settled and all the States had been admitted into the Union before we came here. The Greeks of Chicago came to this city from Greece, and not from the eastern cities, at the turn of the present century. When we are speaking of the Greeks of the city, we must remember that we are speaking of the Greeks of the first generation.

Who were these people that came here from Greece? Were they people from the cities or were they from the country? Did they come here for religious freedom or were they mere adventurers? Did they intend to stay or did they come here for a purpose and when that was accomplished they were to return? Did they have much education or money? These are important questions to answer if one is to make a fair appraisal of their contributions.

The truth of the matter is that they were all, with very few exceptions, from the rural parts of Greece. They did not lack anything back home except money. They all had homes and most of them had mortgages on them. Most of them came here to accumulate money to help their families marry off their daughters or sisters. They had to give the girls a dowry, otherwise marrying them off was a problem. That problem is not unique with the Greeks. Wherever there is a shortage of men that problem presents itself.

Within the last generation Greece has fought three wars, and you know what that means to the male population of the country.

Manual labor was where he made his start in this country. It is important, therefore, to remember that the Greek of America is a recent phenomenon. He has, in other words, just arrived here. It is equally important to remember that when he came here he did not have any money nor any special training. He did not know the language of the country nor the customs, or habits of the people. He knew nothing of the American way of life. He came into a country that was entirely different from his home town.

Although the Greek people did not bring with them earthly treasures, they did bring with them their customs, traditions, and ideals that have been handed down to them by their famous forefathers, customs, traditions, and ideals that have stood the test of time. They have enriched the culture of this country and city to that extent, and it is, indeed, the customs, traditions, and ideals that have been brought here from the various countries of the world, by the various immigrants, that has made the American civilization so unique and so awe-inspiring. Where else in the world does one find the opportunities for individual advancement, the liberty to believe as his conscience dictates, and the spirit of toleration to be so universally practiced. The answer is no where else. We like to believe that we too have contributed our share in making this country what it is.

The contributions of the Greeks to the city have been more than just cultural contributions.

There are approximately 50,000 Greek people here who, in their own traditionally individualistic temper and by constant application of their daily task, have demonstrated they are not lacking in qualities which should characterize a good citizen, and as a token of their industry you will seldom find them depending on relief.

As firm believers in law and order to be the basis of a well ordered society, these immigrants have been responsive to their obligations as law-abiding citizens as the records of any law-enforcing agency will reveal.

As the heads of the family, they are fully cognizant of their responsibility and strive to make possible for their children opportunities not available to them-

selves as the enrollment of Greek-born students or students of Hellenic parentage, at the higher educational institutions will prove and the lists of the Hellenic Club of Professional Men and the Greek Women's University Club will show.

Within a period of less than a generation we have teachers and professors on the staff of every educational institution of our city. There are over 125 lawyers, about 200 doctors, over 50 engineers, and hundreds that have graduated from the universities and colleges that are not practicing their professions.

In a recent art exhibit there were more than 50 artists from this area alone represented.

Nor are the Greeks wanting in the traits requisite of a public-spirited citizen, they well remember * * * the exhortation of Pericles to the youth of Athens to pass their city on to their successors, not less but greater than they found it.

In the field of business the Greek people of this city have made their greatest strides. All within a generation. All this by a class of people who came from the mountains, with hardly any tools—education, financial assistance, experience.

These are the people that are limited by the present immigration law to 310 a year. That must change. In view of a recent study by an international commission which disclosed that Greece is one of the three overpopulated countries of Europe the law must change to meet that problem. How else can communism be contained in Greece?

I firmly believe the present quota system must be revised so as to enable more Greek immigrants to come to this country. The Celler bill providing for 22,500 Greeks to come to America for the next 3 years, should be passed immediately to reduce the present tension existing in that country now.

The CHAIRMAN. Is Mr. Peyovich here?

STATEMENT OF LOUIS M. PEYOVICH, SECRETARY OF THE SERBIAN NATIONAL DEFENSE COUNCIL OF AMERICA

Mr. PEYOVICH. I am Louis M. Peyovich, secretary of the Serbian National Defense Council of America, 431 South Dearborn Street, Chicago, which is the organization I am representing here. Our organization is an operating arm of the National Council of Churches of Christ.

I am a veteran of the First World War in the American Army, and I am an American citizen, and I have spent quite some time in studying the assimilation of certain groups in the United States, especially the Slav groups. It is a kind of a hobby with me, as is this problem of immigration.

When our organization decided to bring the Serbian displaced persons to the United States from Europe, the job was given to me to supervise it, and bring those people over here. We did this job with the help of the Church World Service, the help of the DP Commission, and with the help of the American Treasury, which helped us through the loan of money to finance inland transportation and reception costs. I think that is the most important thing. This job was done with very much hard work day and night. It is a very, very hard task to bring foreigners to the United States and help them become part of us.

Having this in view, I have prepared a little statement for my organization which I should like to read.

The CHAIRMAN. We will be pleased to hear it.

Mr. PEYOVICH. In my opinion the problem of overpopulation and the problem of uprooted peoples of different countries, are two fundamentally distinct questions that must be treated separately. No new legislation enacted by American Congress can solve both these problems by treating them as one.

The problem of overpopulation of certain European countries, e. g., Italy, West Germany, and others, is a very old one, and a result of particular religious conception and European way of life. The solution of this problem must generate in the countries concerned, with a carefully planned policy, in cooperation with their respective Government and religious denominations. The international cooperation for the solution of this problem is essential; new and underpopulated regions of the world should be opened: Canada, Australia, South America, Rhodesia, etc., should lead in such an undertaking. The United States could eventually receive some of these people to populate Texas, Alaska, and some other States. The shifting of the great masses of population is a project which would require long and extensive planning, as well as a large financial pool of the countries interested. The United States may contribute greatly to this project but, I repeat, no American legislation alone would be adequate.

The problem of receiving refugees and escapees from behind the iron curtain, should be American concern in the first place. For America has been built upon this fundamental principle, namely, to serve as an asylum for all those who are persecuted because of their political, social, and religious standings. Legislation should be enacted by the Congress to enable these people to be admitted in our country, after being carefully and thoroughly screened. I believe that up to 150,000 escapees and refugees could be brought annually to the United States, and that this pace could be kept until the iron curtain is finally lifted.

Our present immigration laws are inadequate, discriminatory, and unjust. For instance, our quota allocated for Great Britain is over 65,000 annually, of which about 5,000 has been used each year for the past 5 years. This is very logical since Great Britain exports her surplus population primarily to Canada, Australia, South Africa, and others of her colonies and possessions. Canada, alone, where so many Americans emigrate and settle daily, could easily absorb all the surplus population of England and North Ireland. A British quota of 10,000 annually would be sufficient for those Britons who prefer the United States to her colonies and possessions. Our immigration laws should be more liberal toward the countries which are overpopulated and which have no other immigration outlet, as well as to the countries politically and economically backward and whose cultural enlightenment would be greatly influenced by their native sons returning from a cultural America. This has been proved in the past, especially in the period prior to the First World War.

To supplement my assertion that in any future legislation the priority should be given to refugees and escapees, I wish to point out that there are many DP's who did not have a chance to be included in the American DP law, for reasons which were beyond their control. Due to the slow democratic process in the enactment of our DP law, many displaced persons have been shipped hastily to England, Peru, and other countries, where they are not as yet finally settled after 5 years of residence. This is especially true of some 5,000 young Serbian displaced persons now in England. These people should be given a chance to come in the United States under the new legislation, provided they have funds to finance their individual transportation and settlement expenses.

The United States Government through the Displaced Persons Commission, and with the help of voluntary agencies, has success-

fully brought to this country more than 350,000 displaced persons. In this great job, too much burden for reception and resettlement was placed upon voluntary agencies, while the Government became chief beneficiary as the recipient of millions of dollars in income taxes. If any new legislation is passed, this should not be repeated and the Government should take complete responsibility for reception, housing, and placement of these people. Voluntary agencies should be given main role to reach and guide newcomers, in order to facilitate their integration into the American life. For this the agencies should be given not loans, but grants, because they are not in position to collect money loaned to individuals whereas Government has the authority to do that.

At the end, it should be pointed out that newcomers in the United States are much more at home than at any other place outside their countries, because they have here more opportunity to speak their languages, read their newspapers, and attend their churches, while, at the same time, enjoy all the privileges of American way of life in general. We are in better position, therefore, to assimilate the newcomers than any other country in the world.

The CHAIRMAN. Thank you.

Our next witness is Father Edward W. O'Rourke.

STATEMENT OF REV. EDWARD W. O'ROURKE, DIRECTOR, DISPLACED PERSONS RESETTLEMENT, CATHOLIC DIOCESE OF PEORIA

Reverend O'ROURKE. I am Rev. Edward W. O'Rourke, representing the Displaced Persons Resettlement, Diocese of Peoria, 604 East Armory, Champaign, Ill. I am director of that organization.

I am also the assistant chaplain of the University of Illinois. Now, in addition to duties at the chapel with the university students, I have the task of directing the rural life of our diocese in the resettlement program; therefore, I think it would be wise for me in the very short length of time at our disposal to submit this prepared statement I have and make some remarks. If you gentlemen are interested in it, you can read it.

The CHAIRMAN. Your prepared statement will be inserted in the record and we will be glad to hear what you have to say.

(The prepared statement submitted by Rev. Edward W. O'Rourke, director, Displaced Persons Resettlement, Catholic Diocese of Peoria, is as follows:)

My remarks will be confined to the bearing of public-charge features of our immigration laws upon displaced person resettlement. I shall take what might be called a grass-roots viewpoint on this issue. During the past 4 years the displaced person committee of the Peoria diocese has resettled 1,004 DP's in small cities, villages, and farms of central Illinois. I shall try to interpret the thinking of this committee and of the sponsors of displaced persons in our part of this State.

Not more than a score of the resettlement committee and sponsors in our diocese are related to or previously acquainted with the DP's who have come to us. Our resettlement program has been motivated chiefly by humanitarian and religious idealism. None of the members of our committee receive pay for this work. We give our time and often our money to implement what we consider a worthy cause. We realize that there are serious disorders in many parts of the world and that the dignity and rights, indeed, the very existence of millions of people are being jeopardized. Although we in the Peoria diocese

are far removed geographically from the chaos which reigns in parts of Europe and Asia, we cannot in good conscience isolate ourselves from the peoples affected by it.

To be sure, the displaced persons have filled labor needs in some industries and added to the intellectual and cultural resources of our communities. Nevertheless, I firmly contend the reason for our engaging in the resettlement program was first and foremost our willingness to assume our share of the task of rehabilitating unfortunate peoples of other lands.

In the course of resettling 1,004 displaced persons our idealism has been subjected to some rather severe tests, particularly when the breadwinner of some of these families has become ill or handicapped and we have felt the full impact of Federal public-charge laws. Let me illustrate:

A few days ago I received a letter from a farmer who employs a DP as a hired hand. The DP whom we shall call Leonard is married and has four children. The letter brought the unpleasant news that Leonard seems to have cancer of the stomach. Although the farmer in question is a good and generous man, he is frightened at the prospects of having to care for a sick man and his family indefinitely.

What do our immigration laws say about this case? If Leonard should become a public charge and we are unable to prove that his cancer developed after his arrival in the United States, he is subject to deportation. Leonard arrived here only 7 months ago. It is probable that his cancer has been forming over a much longer period of time. Deportation would be tragic in this case, because Leonard and his family came originally from Czechoslovakia. Can we, in keeping with our ideals, send a family back behind the iron curtain?

According to Federal immigration laws the only other alternative is for Leonard's employer, our diocesan resettlement committee or some other private agency to pay indefinitely for Leonard's hospitalization and his family's support. Several similar cases now confront our resettlement committee. Hence it is that our idealism is being severely tested.

Let there be no misunderstanding; we have no intention of abandoning Leonard or any other unfortunate displaced person. Neither are we suggesting that religious and other private agencies be relieved of the task of resettlement should another emergency immigration law be enacted. We might, however, ask whether the trying problem with which we are now faced might be alleviated by a change in the immigration laws bearing upon public-charge cases. Might we not inquire whether these laws are in keeping with the realities of the world's refugee problems and our Nation's responsibilities toward them?

The vehicle through which our Nation as a whole deals with the task of resettling refugees is the Immigration and Naturalization Service and related governmental agencies and commission. The policies pursued by these governmental agencies seems to indicate that our Nation as a whole is unwilling to assume any risks in behalf of an immigrant, but meanwhile individual citizens and private organizations are asked to assume staggering risks. The irony of this situation becomes all the more obvious when we remember that governmental agencies conduct the health examinations to which the prospective immigrants are subjected. Responsibility for any mistakes that have occurred in selecting immigrants must belong to these governmental agencies. Nevertheless, individual citizens and private agencies must pay the penalty for those mistakes. Moreover, it seems exceedingly cruel to threaten with deportation an immigrant guilty of no crime, merely afflicted with illness or some other misfortune. We assure the peoples of other nations that we believe in human rights and dignity and that we are the friends of the oppressed. Yet our immigration policy belies all this talk. In my estimation, the harm done by this policy to our standing among the peoples of the world is beyond computation.

There are still millions of refugees in the world today. The very notion of human rights and dignity is being seriously challenged. I suggest that we meet that challenge with another resettlement program and with the necessary liberalization of those immigration laws referring to public-charge cases. Such legislation would bring hope to many despairing peoples and would serve notice to dictators and tyrants that not a few United States citizens but our people as a whole are prepared to labor for and fight for the welfare of our less fortunate fellow men.

Respectfully submitted.

Rev. Edward W. O'Rourke,
Director, Displaced Persons Resettlement.

Reverend O'Rourke. I should like to make some off-the-cuff remarks on what has come to my mind since I listened from 10:15 this morning. First of all, the trend of new immigrants toward large cities is obviously a matter of concern to me, as I represent the rural interest of our church in our diocese. The Eleventh Commandment, so far as displaced persons in our diocese, is, "Thou shalt not go to Chicago." However, like the first 10, this Commandment has been disobeyed at times. Of the 1,004 persons resettled to date by our committee, today, five of eight remain within the confines of our diocese. That does not mean approximately one and a half have gone to Chicago. I might say in scarcely a single case—not more than five or six individuals left, to my knowledge, and at least some form of permission was obtainable, because it was oftentimes necessary for the support of, let us say, an aged person to join a relative or friend. It was oftentimes necessary in order that they might have some approximation of a job in keeping with their talents.

I had a man leave a job in a glove factory in Champaign to go to Detroit, Mich.—he was an architect—to receive in 1 week in Detroit more than he got in a month in Champaign. It would be fantastic to object to such a move, because he is an excellent architect.

I would say, then, that I do not think that the ideal toward which we ought to aim would be to keep all of the persons who happen just by some fate, and it was rather a fateful thing, to be sent down to the north central part of Illinois, to keep them there. First of all, I don't believe in that sort of regimentation. Secondly, the dissatisfaction that would result in some cases would make them anything but desirable employees in their positions.

So far as agriculture is concerned, keep in mind that not only immigrants, but native Americans, are leaving farm work in large numbers. That is always true during times of full employment, and, therefore, let us not be surprised as soon as there is anything in the way of a depression that the trend will be reversed. Concomitant with it too, is the expansion of the technological development in agricultural industry that has made less necessary as many hired hands as once were required. In view of the fact that we have expanded our agricultural production tremendously in this State over the period in which the number of employed hands on the farm have gone down, it seems to indicate that the lessening of numbers of persons has not seriously handicapped the industry itself.

Now, there are so many implications here that I scarcely know where to begin. I would like to answer a question that came up, and which, seemingly, has no answer. I will attempt to answer to this extent: if the testimony which I have heard today is typical of the thinking of all the people of this State, there is a surprising dichotmy between what it represents of our Government legislation, and that which the people say they want. Now, of course, the answer isn't hard to find. Those persons most interested in resettlement of displaced persons under the immigration tasks are here today. Those who perhaps don't care at all about it, if they are very hostile they would probably be here; if they don't care anything at all about it, they would neither come here to complain nor to reaffirm.

Now, the task of the resettlement program, which is certainly the task of the people of all the free world, has been unevenly distributed

among the people of the free world and among the United States. Now the way the whole people work upon such a big problem is through the duly established commissions and the legislative acts. The legislative acts are such that the individuals, for example, the individuals and the sponsors of my committee that take responsibility for more than a thousand persons, sometimes find themselves shouldered with staggering responsibilities precisely because the law says that the Government itself shall assume practically no responsibility in the case of, let us say, a public charge or such matter. Now the question is how is that to be solved. It is an educational task. I don't think the Congress does misrepresent the will of the people—I think they represent it. I wish it were otherwise; I wish I could convince myself that it was Senator McCarran and a few others that represent that law. But the fact is that only a small segment of our population is actively interested in this task, and, therefore, we wouldn't expect the majority of the people to be vocal in regard to this.

I think the very conduct of these people is one of the most significant educational tasks we have had in a long time. I think that some of these statements that go on record will be read and considered and debated, and then perhaps we can raise the number of persons who really assume the traditional—and I think I am correct in saying this—the once traditional attitude of the American people. Of course, there are unfortunate people, and they are the ones which I, as a priest, must assert are immensely important insofar as my religious ideals are concerned. I am not asking the Commission to do the whole job. I am willing to do my part down in my area. I have tried hard, and those on my committee have tried hard, for more than 4 years. We are going to continue; we are not going to damn our representatives because they pass a particular law. We are going to the people, whom I still think are ultimately responsible if the law is inadequate.

I might add just another little thought: There is no member of our committee that receives a penny of pay. It is an entirely humanitarian and idealistic attitude that prompts us. All the persons who work with us, neither the sponsors nor the individuals who have employed these, are related to or previously acquainted with these persons. Therefore, I think the fact that we have been able in our area to get persons in a completely disinterested way, and I think I can say that, to go to bat, to stake their time and money and sometimes their very health in the task of helping them, shows that idealism isn't dead. I think if we present the facts to the American people, at least to the people in the north central part of Illinois, someday there will be a legislative enactment on the part of our Government that will set a pattern for the whole world.

Those are my thoughts.

Commissioner PICKETT. In view of the testimony given by a representative of the American Legion earlier, would you tell us whether you have any evidence of immigrants taking away jobs and housing of Americans?

Reverend O'ROURKE. Not a single case has come to my attention of the 1,004—not a single person, so far as I know, no American citizen, has been removed from his housing or displaced. As a matter of fact, our committee always asks that before we let an employer accept a displaced person. We ask "Is this filling a vacancy?" and so forth.

The problem may occur, I will admit, but it hasn't occurred to my knowledge in our area.

Mr. ROSENFIELD. Do you mean that of the 1,004 you mentioned, there were that many jobs, or DP's resettled?

Reverend O'ROURKE. These were individuals. It breaks into about 350.

Mr. ROSENFIELD. Let's assume that there are 300 jobs. Does that mean that there were 300 jobs that couldn't be filled in any other way?

Reverend O'ROURKE. There are a thousand jobs that couldn't be filled in that area today. If you could give me the right people, I could go and in a week's time find a thousand jobs for them.

Mr. ROSENFIELD. What about the areas around Peoria?

Reverend O'ROURKE. The Peoria diocese includes—let me list some of the cities so you get the perspective. They extend from the west side clear to as far north as towns like Aetna and Rock Island. So it is a semi-industrial area; in some cases, cities like Rock Island and East Moline together with Davenport in Iowa, and places like the south. There is some industry in Bloomington; Peoria has a sizable industry, so we have a rather typical, I think, diversification. Some of the best farmland, some of the more prosperous small cities, and some of the semi-industrial cities like Rock Island, Moline, and Peoria, so we have some latitude there.

The CHAIRMAN. Is it your explanation of the existing legislation that not enough people have been interested in the general subject matter to make any particular views known to their Congressmen?

Reverend O'ROURKE. Right.

The CHAIRMAN. How do you account for the Congress having passed this law over the President's veto?

Reverend O'ROURKE. I think that they are of the opinion that the majority of their constitutents want a restrictive policy, and I am not at all convinced that the majority of the constituents, here and now, want otherwise. I think that they can be convinced otherwise. But in my own area the persons actually engaged in the work wouldn't be more than 300 persons; in the area that it encompasses there are half a million at least—more than that in that area. So a lot of them just hear some vague notion, say: "They are going to take our jobs away. They are going to bring in millions. We will be inundated." It is easy—in other words, it is an educational task—the people out in the grass roots don't know the story yet. It is our job to give it to them.

Strangely enough, everyone that is a stranger to us is almost automatically our enemy. If these persons are all strange, they have slant eyes, or something is wrong with them, they are bad—that is the rather sad sort of judgment that usually comes out from lack of information. On the other hand, the fact that we have been able to get so many people to not only admit them to come in, but take terrific risks for them, is, in my estimation, an encouraging factor that it can be done, but it will take time.

The CHAIRMAN. Thank you very much.

Is Mrs. Charles R. Curtiss present?

STATEMENT SUBMITTED BY MRS. CHARLES R. CURTISS, ILLINOIS STATE REGENT OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. ROSENFIELD. Mr. Chairman, Mrs. Curtiss is Illinois State Regent of the Daughters of the American Revolution. She was invited to testify, but has not appeared. However, she has submitted a letter on behalf of her organization which I request permission to read into the record.

The CHAIRMAN. You may do so.

(The letter of Mrs. Curtiss, Illinois State Regent, Daughters of the American Revolution, follows:)

JOLIET, ILL., *September 28, 1952.*

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Washington, D. C.

DEAR SIRS: The Daughters of the American Revolution earnestly desire that no immigration over and above that provided under the present quota system be permitted in the United States either by special legislation, unused quotas, or Executive orders.

The laws of the United States require registration of displaced persons when entering this country but do not require any further supervision of their movements or activities.

We recommend that Congress amend the law requiring displaced persons to register every change of residence with the registration office of the original port of entry.

Sincerely,

BEATRICE K. CURTISS
(Mrs. C. R. Curtiss),
State Regent, Illinois.

The CHAIRMAN. Rev. Edgar Witte.

STATEMENT OF REV. EDGAR F. WITTE, EXECUTIVE DIRECTOR, LUTHERAN CHARITIES OF CHICAGO, AND DIRECTOR OF THE LUTHERAN RESETTLEMENT SERVICE OF ILLINOIS

Reverend WITTE. I am Rev. Edgar F. Witte, representing the Lutheran Charities of Chicago, 343 South Dearborn Street, Chicago, of which I am executive director, and the Lutheran Resettlement Service of Illinois, of which I am director.

I have a prepared statement I will read, if you wish.

The CHAIRMAN. You may do so.

Mr. WITTE. My name is Edgar Witte, executive director of Lutheran Charities of Chicago, and director of the Lutheran Resettlement Service of Illinois. The latter organization is the Illinois agency of the Lutheran Resettlement Service of the National Lutheran Council, and is under the general direction of the board of directors of Lutheran Charities acting as the Illinois Lutheran Resettlement Committee. Our organization also acts as the agent of the Lutheran Church-Missouri Synod, Lutheran service to refugees in local Illinois matters affecting resettlement of individuals brought to this State by this service.

I would like to confine my testimony to the Lutheran resettlement problems of Illinois, specifically to the situation we face as the result of the "cut-off" of refugees who were stranded in the processing pipeline when the 54,744 visas allowed under section 12 of the Displaced Persons Act as amended were exhausted toward the close of April 1952.

Testimony with respect to the amendment of the Immigration Act and with respect to the problem of surplus populations has been and will be given by representatives of the national organizations of the Lutheran Church. Since the beginning of the displaced persons' program 1,432 displaced families involving 3,237 persons have been settled in Illinois by our office. Of these 831 families composed of 1,734 individuals were resettled in Illinois on assurances secured by us in Illinois and 601 families including 1,503 persons came voluntarily to Illinois from other States where they were originally settled by Lutheran Resettlement Service or the Church-Missouri Synod.

The groups of 601 families coming to Illinois from other States was composed partly of families experiencing some form of breakdown on the part of the original sponsors or on the part of the families themselves, on part of families who believed that there were better job opportunities or higher wages in Chicago, and in part of families who wished to join relatives, friends, and fellow countrymen in Chicago.

The nationalistic societies estimate that there are 2,000 Estonians, 5,000 Latvians, and 8,000 Lithuanians, or a total of 15,000 Balts.

In addition to these displaced persons our office has settled 191 ethnic German families in Illinois representing a total of 470 individuals. Of these 125 families with 372 persons were processed by us and 60 families involving 98 individuals came from other States where they had been resettled by the Lutheran Resettlement Service.

In general both the displaced persons and the ethnic German-Americans have made good adjustment to American life. About 10 percent were involved in social breakdowns including such incidents as illness, unemployment, marital, and parental difficulties. In 1951 our office handled 112 such cases, all of them sponsored by Lutheran Resettlement or the Lutheran Church-Missouri Synod. Lutheran people sponsored by other services are cared for by United Charities of Chicago. The incidence of social breakdown among Lutheran displaced persons and refugees is probably greater, that is, here in Chicago, than the national average due to the situation alluded to above, namely, the concentration of nationalistic groups in Chicago.

In addition to the 191 refugee families actually resettled 125 families were sponsored by bona fide individual assurances of jobs and housing that is in Illinois, were caught in the pipeline by the cut off. All of these families were in the "dossier" program, that is, families who had been interviewed by Lutheran Resettlement and whose eligibility for immigration, as far as a voluntary agency could determine, has been made. We have homes and jobs, sponsored by responsible individuals, waiting for them. They could not come because the quota set up for the refugees was exhausted before they could secure visas. All of them suffer the disappointment and hardship of hope deferred and at present unrealizable. In not a few cases there is the additional hardship of separated families.

We, therefore, urge that the enactment of some emergency legislative measures that would provide immediately the required number of visas sufficient to allow entry, under the terms of the DP Act, of those refugee families with bona fide assurances from American sponsors whose processing had to be abandoned for lack of available visas and which would permit the processing of those assurances still on

file with the DP Commission in Washington. We believe this to be an honorable way to bring the entire DP Act, including section 12, to a close.

Furthermore, we urge that provision also be made for the admission to the United States, under proper safeguards, of a reasonable number of those refugees who remained, including such as escaped from behind the iron curtain after January 1, 1949. We urge this not only because these people are in such desperate need, but also because America should gain so much in receiving into her life people of such proven fortitude and democratic conviction.

Commissioner O'Grady. Have you encountered any problem on public charge in your work?

Reverend Witte. There is a problem. I can't give you any exact figures. Here in Illinois the situation is that in case of medical care being needed the Cook County Hospital, for example, will receive such cases just as they would receive any other dependent person, regardless of citizenship. However, they do have a problem there of trying to realize payment for care of such persons, and if the displaced person, or someone who has an interest in him, can in time pay the bill, no charge is placed against that person. Apparently, there is no time limit on it, so that if the DP himself recovers and signifies a willingness to pay that bill and make some attempt to pay it, as long as that bill is kept current apparently no action is taken, or at least that there is some activity on the bill.

The Illinois Public Aid Commission has given a ruling that after these people obtain residence in Illinois that service can be given by the Welfare Department of Illinois, and we have been receiving even in advance of the establishment of residence in particular areas, we have been receiving service, so that personnel from the public aid commission, or, specifically, from the public welfare department have done studies and things of that kind. We are now hopeful that after they do establish residence that they might be eligible for public assistance without jeopardy. I am not too clear. We have a case before the public aid commission now, and we are expecting a ruling on it, if such aid can be given. At the present time we have a number of cases that are being serviced, but we ourselves are putting in the assistance.

Commissioner Finucane. Dr. Witte, have any of those that you have aided and resettled here become mental cases requiring treatment?

Reverend Witte. I think, offhand, we have had about three. We have had a few terminal cancer cases, and TB. I don't believe more than a dozen cases would fall into these three categories.

Commissioner Gullixon. May I ask as to experience, whether the migration of folks originally settled in the country has been rather strongly toward Chicago?

Reverend Witte. It has been. Well, as you note from the figures in my prepared statement, almost as many families have come in from other States as we originally processed—831 came in on our assurances obtained in Illinois, and 601 families have come in from other States. There has been some drift up from the South, but, mainly, it has been from Wisconsin, Iowa, Minnesota, and so on. Sometimes people settled on farms who actually didn't want to remain on the farms, and

sometimes it has just been loneliness. I have seen families abandon perfectly lovely set-ups as to housing and jobs and so on because they were out there, down State, or in some other State, alone, none of their people there, and they would rather come down here to Chicago, and move into a slum and one room if they are in the midst of their own people, hoping after a while, after they get a foothold, to better themselves, and work out their problem.

Commissioner PICKETT. Is there any reverse migration out of Chicago?

Reverend WITTE. I am not aware of it.

Commissioner O'GRADY. Have you had any problem in finding employment for them?

Reverend WITTE. No, I would say that with very few exceptions when they come in here totally without homes, housing, or a job, it doesn't take more than a week to get them set up. Once in a while we have someone who is fussy and who wants a particular kind of a job in a particular line, and things of that kind. We can't blame them for it. They like to maintain their professional status, or something of that kind. But if they are willing to take any kind of a job it is just a matter of hours here in Chicago at the present time.

Mr. ROSENFIELD. Do they take jobs and housing away from other people?

Reverend WITTE. No; I don't think so. No, I don't believe that that is the case. In most cases coming in here, where they are unprepared and have no housing provided, they crowd in with other DP's and we finally find some room for them. I don't think we have had within the last year too much trouble finding housing. I will say it is not good housing, but there seems to be housing available in Chicago, if you are not too fussy about what you want, and what you can take in undesirable areas, and things of that kind, where our own citizens here don't care to live and have abandoned.

The CHAIRMAN. Thank you very much.

Miss Elizabeth N. Wilson, you are the next witness.

STATEMENT OF ELIZABETH N. WILSON, EXECUTIVE SECRETARY, INTERNATIONAL INSTITUTE OF GARY, IND.

Miss WILSON. I am Elizabeth N. Wilson, 321 West Fifteenth Avenue, Gary, Ind., I am representing the International Institute of Gary, Ind., of which I am executive secretary.

The International Institute is one of about 15 immigrant aid societies, nonsectarian, in the United States, located in the large industrial centers, and almost all of them community chest agencies. I have a prepared statement I will leave with you and would like to make some remarks first.

The CHAIRMAN. We will be pleased to hear you.

Miss WILSON. The people in agencies, such as the International Institute, give a personal advisory service to immigrants and citizens. They help the alien fill out the necessary forms for the United States Government, both Immigration Service, and counsuls abroad, and I think we probably are more aware of the McCarran Act, and what we are going to have to do under it, and how we are going to have to

explain its deficiencies to our clients, so I will talk a little bit more from that angle.

There are some very good things about the McCarran Act. The fact that the laws are all in one place is very welcome because it is a very tricky field in which we work. But there are some obvious inequities, discriminations, and harsh penalties, and I would like to mention a few of those as I go along: First, the national origins idea of the quota system is, I think, the basic discrimination that is left in the United States today, and, curiously enough, very few people talk about that as a discrimination because I think few people understand the immigration laws. The reason they don't understand the immigration laws is because most of them don't know any immigrants, and it is interesting to see that when the boys in our Army marry immigrants, the girls abroad, the parents of those soldiers become tremendously concerned with our immigration laws and they moved in very fast upon Congress and got them changed very rapidly. So that when people do find out about them they become interested, but I think they are so divorced from this whole field that is our major problem.

I speak a lot, and when I tell that a Greek can't even bring his mother and father for several years, while an Englishman can bring a friend, and that there is a 50-year quota waiting list for a Greek to bring a mother, but an Englishman can bring anybody right away, you get a gasp from the audience, and people really do care, but they don't know. I mean you have to show how these laws affect people, I think. Well, if we have to have a census, it certainly should be 1950 instead of 1920.

I want to mention something, too, that Mr. Parry said, and that is that these laws discriminate not only against prospective immigrants but they discriminate against American citizens because they lead to the separation of people in this country from relatives abroad and many of those relatives they are economically responsible for and are supporting in foreign countries. If we have to have a quota, we should certainly have pooled numbers which are unused.

The preferences in the McCarran bill, some of them, I think, are wrong. If we should want to bring people of superior education, or attainment, or special skills, because they are needed here, that's one problem, and I think they should be brought—perhaps they should be nonquota if they are needed badly enough. But I don't think they should take the quota numbers away from the parents of American citizens or wives and children of legally residential aliens, because that is just going to lead to a longer separation, and that is what the McCarran bill is doing.

Also, those ancestry quotas which have been introduced in the McCarran bill, where an Asiatic born in Jamaica is charged to the quota of an Asiatic triangle, that is a new device that somebody thought up that I think we don't need. I believe that we should bring most of the immigrants in the future from Europe, not because we are discriminating against the rest of the world but because we are people settled by European people, and it is most easy to assimilate those people. Also, there are a lot of people in this country who come from the Near East, and I think those people are easy to assimilate, such as Turkey. There are a lot of Greeks that have come in

here from Turkey that were born in Turkey. Those people who are from central and southern and near-eastern countries are the immigrants who settled in Gary. Gary is a new city, founded in 1906, and is one of the few cities in the United States, I think, that has been settled in the peak of the migration from southern and central Europe, and they are the people with which I work.

I am a Nordic myself, but I can't see that the Nordics are superior in any way to the other people. I think that is a myth and it was based on a lot of studies, on I. Q.'s, in the early twenties that have since been disapproved, and yet we go on assuming that. It is very hard to explain to your client why he can't bring his relative when somebody else that was born in another country can. It really creates a lot of basic feeling of injustice in cities like Chicago and Gary among the foreign-born people, and I don't think that is very good for the unity of the United States, which is so urgently needed today.

Also, we have all these commissions and committees and individuals and armies and generals in Europe trying to tell Europe that they should break down their economic barriers and think of themselves as a continent and arm as a continent. Yet if we continue this quota system, we are playing off one European nation against another, and we are practically saying to them: "Well, people from one country in Europe are O. K., but we don't want any more from the rest of them." I don't think that contributes to the feeling of unity in Europe which we need today.

Now, perhaps the general public is not aware of the deterrents to immigration of our system of sponsorships. You know we have nonquotas in the whole Western Hemisphere, but we don't get masses of immigrants coming in from the Western Hemisphere, because in order to get into the United States you not only have to have the permission to leave your country but you have to have an affidavit of support signed by a sponsor who says that he will look after you. This is for regular immigration.

Now we find that it is very hard for the Mexicans to come into this country unless they have relatives because people are very hesitant to make out an affidavit of support, which is much harder to make than insurance for a DP, unless they have some relationship or know the people, so that thing in itself is a deterrent to immigration.

Also, I would like to make a plea for the sponsors, and the areas into which these immigrants come so easily. I know from reading some of the discussion in Washington that has come out in bulletins that some people think it is very bad for them to come to cities like Gary and they should all go on farms, but I want to make a plea for them to come to Gary because they have relatives and friends in Gary, they are happiest in cities like Gary, and I don't know what the steel mills would do without them because they still need people. They keep saying to me: "Where are all those DP's that were coming in a year ago? We don't see any more of them." We had a personnel manager, who has a fine job in a new factory, and I said to him: "How are you coming along?" He said: "Fine, but I can't get any skills at all. I need a big blacksmith, get me that, and you are my friend for life." I said: "You might advertise in the Foreign Language Press." But how many places are there where there are personnel men not knowing where to get the skills that they need.

Now you ask me what I think about this quota system. Well, I don't think we should have unlimited immigration into the United States. I think the Western Hemisphere should continue to be non-quota, I think maybe we should have continental quotas. If we could start with Europe, instead of having a quota from every little country in Europe, why couldn't we have a quota from Europe that would automatically throw that big British quota over to the others, even those Russians and Ukrainians, the people behind the iron curtain who are refugees today. If we had the numbers that are today assigned to all the European countries, both those behind and this side of the iron curtain, pooled in the beginning, instead of an unused pool, I think it would solve a lot of problems, and a lot of problems for the consuls. Then, maybe you could have a quota for the countries like Turkey and Palestine that would help some of the Arab refugees because they really need help today, they also are an international responsibility, and we hear very little about those.

On top of that, we probably always will need to think about crisis immigration. It is more than temporary, it is crisis immigration. As those crises hit the world, I believe the United States, as the leading nation of the world, will have to take the lead in how to solve those crises. Those four overpopulated countries of Holland, Italy, Greece, and Germany and I think the Arab refugees should come under the name of "crisis." It may be that we will have some Korean refugees that may be crisis refugees in the future. I don't think we can ever give the Asiatics as many numbers as we give to the Europeans because I don't think we can assimilate them as rapidly. The Nisei were very easily assimilated in the cities because they were American born. I have had very little experience with the native-born Japanese, but I think that they would be less easy to assimilate without their children. However, we have two Japanese war brides in Gary, and they are creating no great problem—their husbands are not even with them. The only thing they wanted was to discover each other, because they didn't find anybody in Gary who spoke Japanese. Nobody in Gary thinks of two American boys married to two Japanese war brides—they don't even know ther are there.

Now, if I have time I would like to mention several things that nobody else has mentioned: One, is that the McCarran law has some new penalties which I think are very bad and ought to be removed, because they violate our tradition that punishment should fit the crime. Sections 265 and 266, I will read:

> that aliens or parents or guardians of minor aliens who do not report the change of address within 10 days will be guilty of a misdemeanor and *shall* upon conviction be fined not to exceed $200 or be imprisoned not more than 30 days or both.

No mention is made that the failure must be willful. Then it adds further:

> irrespective of whether the alien is convicted and punished he *shall* be taken into custody and deported unless he establishes that such failure was reasonably excusable or not willful.

In order to show you why they are having trouble with the aliens not reporting their addresses, I can only mention that they changed their regulation three times within 12 years. If they only would stick to the same regulations, and people knew what they were supposed to do—but it has only been 2 years since they were told not to report

their address every 10 days. I think people are all used to regulations and they all expect to conform to whatever we set up, but it is very hard when you keep changing, because you can't get this information out to these foreign-born people that rapidly.

I don't think that we need any severe penalties for not reporting changes of address. What we need is publicity, and the Government itself should publicize what they want the aliens to do continuously in the foreign-language press, at places of employment, and in the social agencies, both public and private, and there would be no trouble at all.

Now there is a new requirement in this law that says every alien, both men and women, 18 years old, has to carry his alien registration card at all times. I don't think that is necessary. Maybe they should carry the number at all times, but I know the problem of women changing their pocketbooks, and going shopping, and it is going to be a big mess, and they are going to lose these cards, and that's hard because people can't get jobs without their cards, and people pick them up that shouldn't have them, and I don't think that is a very good idea. It seems to the newcomers that the best thing about the United States is the freedom with which they could move, and they are not always being stopped and asked to show their papers, as they were in Europe. I don't believe the disloyalty among newcomers is any problem, and why should we introduce this type of a police system.

There is under section 213 excludability sections on health. It says that people with "tuberculosis in any form" cannot be admitted even under bond, and they can't have any appeal from the diagnosis of the medical officer. I believe that is too rigid, and that the law should give the consul and the immigration officer discretion to consider the individual case because often relatives can support the person, and give them proper medical care, and we have had some cases. We have one in Gary today where a displaced person was stopped at New York with his wife and child because he had tuberculosis. The wife and child came in to people from their native village and she got a job and worked, and he was taken into a Jewish sanitarium out West. He came in the other day. He is cured, and he has a job in one of the local mills, but he would have been completely excludable under the law with his wife and child, under this law.

I won't go into this matter of registry, but I hope you will consider this matter of registry. There was in the old act a provision that if you could prove that you were in the United States before June 29, 1906, that they would accept that as a record of lawful entry because the records in New York were destroyed.

Now the people from Canada and Mexico were allowed to cross the border between 1906 and 1924, and there were no records of entry kept for them, and yet they are expected to provide a record of lawful entry just as the steamship company records were kept in New York.

Well, we have been struggling with this registry—the social workers—and they are about ready to revolt because we are required to help these people collect evidence of residence every year since the year 1923, and records are being destroyed, and as the years go by it is just going to be impossible to continue to do that. The people that are penalized are usually the people that have entered, that were permitted to cross the border by the United States Government.

Now if we have all these new regulations for permitting people who violated our laws and were admitted, came in without a record of

admission, through the suspension method, why couldn't there be some similar method set up for the people that were here before 1924, many of whom were here legally, but just can't prove it. In other words, why couldn't the Attorney General have the right to consider the case of these people, and if they have had so many years of residence that they could prove, or affirmation——

Commissioner FINUCANE. Isn't that continued in the present law as it was in the past law?

Miss WILSON. Yes; but the years go by. In my prepared statement I have gone into these penalties in the law in detail. If I may, I would like to say a word about naturalization.

The CHAIRMAN. You may do so.

Miss WILSON. It is just that I feel that stiff examinations for the immigrants that were recently enacted are too high. They require them to read and write now unless they are 50 years of age, and have lived in the United States for 20 years. Yet, there are many illiterates besides those people who have been admitted in the past, and will be admitted in the future under the McCarran law, and I think it is rather futile to try to teach those people to read and write a few words in English if we admitted them as illiterates. We admit certain illiterates under sections of the McCarran law—them and the teachers too. I think it is a waste of the time of the teacher—she could spend it on other people better. I have seen these classes and it is really pathetic, you know. Of what value is it to learn two or three words if you can't read and write in any language?

The CHAIRMAN. Thank you very much. Your prepared statement will be inserted in the record.

(The prepared statement submitted by Elizabeth N. Wilson, executive secretary, International Institute of Gary, Ind., follows:)

STATEMENT BY ELIZABETH N. WILSON, EXECUTIVE SECRETARY INTERNATIONAL INSTITUTE OF GARY, IND.

I first want to express my appreciation for the revision and compilation of our immigration, naturalization, and nationality laws. There are many good features in Public Law 414, but I want to discuss some of the things which are wrong. There are a number of inequities, discriminations, and harsh penalties which should be removed and I shall mention those with which I am most concerned in my work.

NATIONAL ORIGINS QUOTA SYSTEM

The American people are showing an increasing interest in the problem of discrimination. Congress has removed sex discrimination from our immigration laws and certain racial discriminations. I believe it should next attack the basic discrimination—the national-origins formula for determining the quota.

The continuation of the 1920 census as the base for computation of the quotas is proof of the discrimination against the central and south European countries and the Near East. The great majority of people from these countries have entered since 1900. They have now children and grandchildren, but most of these will not be counted if the 1920 census is used for the formula. In no other field of legislation does Congress base policy on statistics which are 30 years old when up-to-date figures are available.

The national-origins plan discriminates not only against prospective immigrants from certain small-quota countries, but against their relatives in the United States. It leads to long separation of family groups, unnecessary anxiety and a feeling of injustice. In contrast, Great Britain is assigned half the entire quota and thousands of numbers go unused each year. Unused quota numbers may not be pooled.

Congress recognizes that persons of superior education and attainment may be needed in the United States and Public Law 414 gives them first preference, but I think it is wrong that they now will block the immigration of parents of American citizens and wives and children of legally resident aliens, leading to still longer separation.

Section 202 (c) provides that an immigrant born in the colony of a governing colony such as Jamacia, if he requires a quota number and is attributable by as much as one-half of his ancestry to the people indigenous to the Asia-Pacific triangle, shall be charged to this quota. The new invention of ancestry quota will create ill will among Asiatics both in Asia and in the Western Hemisphere.

The United States has been settled by Europeans and I believe that immigrants from Europe are the most easily assimilated. Therefore, in the future, the bulk of immigration should come from Europe. We may limit the number numerically, but I believe, we should give up the idea of quotas from separate European nations and have a European quota instead.

There are many reasons for this. First, there is a mass of evidence which will prove that persons from central and southern Europe have made just as important contributions to the development of the United States as those who came in an earlier period from northern Europe. They helped to do the job which we needed to have done, namely the industrialization of our Nation. Industrialization has given us our high standard of living and made us the No. 1 Nation in the world. The newer generation of immigrants have also made important contributions to business, science, education, the arts, athletics, indeed to all walks of life. Let us be honest and give up the old myth that they are somehow inferior.

Second, some of the conditions which existed at the time that the national-origins formula was devised no longer exist. In 1920 we had wide-open possibilities for emigration from all the countries of Europe. Today, it is impossible for the people of any country behind the iron curtain to get exit visas. The only possible immigrants from these unfortunate countries are the people who escape.

Third, we have a responsibility for the welfare of Europe which is much greater than in 1920 when we were isolationist at heart. Today, our leaders, committees, and commissions are in Europe trying to persuade countries to unite for their economic and political salvation as well as our own. Yet, our immigration laws still play one nation against the other. We proclaim to the world that we consider the people of one European country more worthy than those of other countries. Fantastic mortgages to the year 2000 make the United States look ludricrous.

Fourth, an important deterrent to immigration is the device of sponsorships. Many people would come to the United States, but cannot come because they have no one to sponsor them. Immigrants who have close ties with people of the United States find it easier to come and I personally think this is a good thing. We should not undervalue the great contributions of sponsors as they receive the newcomers and help them through the first hard days of adjustment. People of the European countries are so poor today that most of them need this first assistance as well as help with their ocean and inland transportation.

I believe that the Western Hemisphere should have no quota, but that there should be numerical limitations for the other countries of the world. Let us start with the idea of breaking down nationalistic quotas in Europe as we are trying to break nationalistic barriers.

CRISIS IMMIGRATION IN EUROPE

Relief of overpopulation in Europe, which threatens the peace, and the resettlement of refugees, including Arab refugees, are international problems which we as a people cannot avoid. Our Christian tradition and our leadership in the world force us to take action. Special legislation must be passed so that we may do our part with other nations in any international program as we did with the displaced persons. In spite of all the resistance to bringing the DP's and the barrage of propaganda against them, they turned out to be one of the finest groups of immigrants who have ever come to the United States.

PENALTIES

Some of the penalties in Public Law 414 are too severe and violate our tradition that punishment should fit the crime.

For instance, sections 265–266 provide that aliens or parents or their guardians who do not report their change of address within 10 days will be guilty of a

misdemeanor and shall upon conviction be fined not to exceed $200 or be imprisoned not more than 30 days or both. No mention is made that failure must be willful. Further, irrespective of whether the alien is convicted and punished he shall be taken into custody and deported unless he establishes that such failure was reasonably excusable or not willful.

This provision about reporting the change of address each time an alien moves is the third change in regulations in 12 years. It amends the Internal Security Act of 1950 which required only an annual report of residence in January. The International Security Act amended the Alien Registration Act of 1940 which required every alien to report change of address within 6 days. Is there any wonder there is not 100 percent conformity?

My experience with aliens has been extensive and I believe that with nominal exceptions, they want to conform to Government regulations. They accept with grace the necessity to be fingerprinted and have identification cards. If they knew what is expected of them, they conform willingly and promptly. Of course, there are in any group forgetful persons. The recently arrived aliens are adjusting to a new life in a new country and have so many strange things to do and think about that it is understandable they forget to report addresses or to register in January. Unless there is an immigrant aid society to tell them or to read the letters of instruction they receive from the Government, many will not know what they are supposed to do.

We do not need severe penalties to secure conformity to regulations for reporting change of address. We need publicity. There should be extensive and continuous publicity in the foreign-language press, at places of employment and in social agencies, both public and private.

I question that it is necessary to require every alien 18 years of age and over to carry his alien registration card at all times. Perhaps he might be required to carry his alien number with him at all times. Otherwise, many of the Government cards will be lost or stolen. It will be especially inconvenient for women who constantly change purses. They will always be worrying about the matter. This new requirement seems to be a reversion to the police system of Europe described by our newcomers. They say it is wonderful that the United States is not as it is in Europe where one is constantly being stopped and asked to show identification papers.

EXCLUDABILITY

In the provisions for excludability on the basis of health it is not clear whether an arrested or noninfectious case of tuberculosis makes a prospective immigrant excludable. The law says that persons with "tuberculosis in any form", may not be admitted under bond, nor have any appeal from the diagnosis of the medical officer (sec. 213).

I believe that this is too rigid and that the consul and immigration officer should have discretion to consider the individual case, the relationship to the sponsor, and his degree of responsibility and ability to support so that the immigrant will not become a public charge.

Certificate of Registry

Persons who entered the United States legally two years ago, but for whom there are no records of lawful entry, seem to be less advantaged than many who came illegally more recently and who are subject to deportation.

There are two groups to which I refer. First, persons who entered prior to June 29, 1906. Under the old law they might prove residence before this date and then be naturalized. This provision does not appear in Public Law 414 and we still have cases of persons in this category who need the old provision. Such persons must apply for registry.

Second, are persons who crossed adjacent borders from Canada and Mexico after June 29, 1906, and prior to July 1, 1924. Many were allowed to enter without paying a head tax and without any record of admission being created. They also must apply for registry.

It is often impossible for aliens in these two categories to prove residence each year since 1924. Many of the Mexicans were cotton or beet-field workers or gang-track laborers for the railroads. No records were kept of their employment.

For all applicants for registry, as the years go by, it is more and more difficult to prove residence. It is now 28 years since the deportation law of July 1, 1924, was passed. Public utility companies, employers, hospitals, and schools destroy old records.

Persons who are unable to qualify for registry because they cannot prove continuous residence cannot apply for suspension of deportation because they are not deportable. They have two choices: to leave the country and reenter or not be naturalized.

If they were not born in adjacent countries, they cannot enter those countries to apply at the American consulates for a visa because preexamination has been abolished. If they go elsewhere they will be under very heavy expense. Also, if they do make a voluntary departure and reenter, they lose their long residence. The greatest hardship is for those who have grown old or ill or destitute or those who are excludable because they are illiterates. They will just have to remain aliens. Some are unable to secure sponsors with sufficient assets to make the affidavit of support without which they cannot reenter the United States.

It appears that if certain deportable persons are granted relief from deportation because of hardship, some relief should be provided for persons who can prove residence prior to June 29, 1906, or between that date and July 1, 1924, if they affirm continuous residence and the Government has no evidence to the contrary. If the Immigration Service has the authority to adjust the status of persons admitted temporarily to that of permanent status, surely it should be given the authority to adjust the status of applicants for registry if they are unable to prove residence.

I think the fee of $25 for both is high for a certificate of registry. Many entered before visas were required and when the head tax was very low. And, as I have stated before, a great many of the applicants for registry were lawfully admitted.

NATURALIZATION EXAMINATIONS

The requirement that applicants for naturalization be able to read and write simple English is, in my opinion, too high for many people.

Persons over 50 and living in the United States 20 years as of June 26, 1952, are exempt. I think this cut-off date should be removed. Also, applicants of other categories should be exempted, namely any illiterates who have a lawful entry into the United States. Many have already been admitted and some will come in future years under section 212 (b). Under this section, close relatives of American citizens, of legally resident aliens, or even of admissible aliens who are illiterate will be admitted.

I question the value of trying to teach illiterates to read and write unless they have a strong urge to learn. Our facilities for teaching the adult born (foreign) are limited and in many communities nonexistent. I would far rather see the teachers use their energy with literate people. I doubt that there is really any value in an illiterate person learning to read and write a few words in English, enough to pass the examination. Illiterates should be given an oral test.

The requirement that an applicant for naturalization must read and write English will delay the naturalization of many newcomers who are literate. They are so very anxious to be citizens after 5 years of residence that I dread to think of their disappointment if they fail this test. Some read and write in languages which use a different alphabet and it is especially hard for them. Many have no opportunity to go to school.

I would like to see the law amended so that only oral examinations are given as formerly; I believe it is important to the unity and security of the United States to make the alien feel he belongs to us. He gets much valuable information about the United States in the foreign-language press.

I have mentioned only a few points which have occurred to me in reading Public Law 414. After the new law becomes effective, the defects and hardships will become apparent and I hope that the Commission will continue its work of analyzing public opinion.

The CHAIRMAN. Mr. Frank Werk.

STATEMENT OF FRANK WERK, THIRD VICE PRESIDENT, NATIONAL STEUBEN SOCIETY

Mr. WERK. I am Frank Werk, 3038 Lincoln Avenue, Chicago. I am representing the National Steuben Society of America, of which I am third vice president. I am also on the public-affairs committee of

the National Council of the Steuben Society. The Steuben Society is a national, American, civic, political, educational, patriotic, fraternal order, with units throughout the country.

Mr. ROSENFIELD. For the record, would you indicate the membership?

Mr. WERK. The Society consists of approximately some 60 units throughout the country. I gather the membership might be somewhere between 100,000 or 200,000—of German extraction note well.

The CHAIRMAN. Do you have a statement you want to read?

Mr. WERK. No; I will not read the whole statement. I have only a few pages here, I made some changes in it, so I won't submit it, as it might give the wrong impression. I did not know exactly what the procedure was going to be here. However, I have held myself to the statement by the President. The President has stated in his release of September 4 that our immigration and naturalization policies are of major importance to our own security, and to the defense of the free world. He states that the free world still faces grave and heart-rending problems in the continual stream of refugees and escapees from the iron-curtain countries; that our immigration laws, based on conditions and assumptions that have long ceased to exist, present serious obstacles in reaching a satisfactory solution; that humanitarian considerations as well as the national interest require that we reassess our immigration policies in the light of these facts. The President also states that the new bill the Eighty-second Congress passed was so defective in many important provisions that he had to veto it. He now has appointed what he calls a representative commission of outstanding Americans to make a study of the basic assumptions of our immigration policy, the quota system, and all that goes into it, the effect of our immigration and naturalization laws, and the ways in which they can be brought into line with our national ideals and our foreign policy.

Now, our immigration and naturalization policies are, of course, of major importance to our own security, for we do not want any Communist subversives to enter our country under false pretexts, become citizens with mental reservations, and when in possession of citizenship papers—if not sooner—advocate the overthrow of our constitutional Government by verbal or written propaganda, or/and by force under the protective claim of the free-speech clause in our Bill of Rights as defense of the free world. Let us recollect that since World War I the whole world has really ceased to be a free world for any one of us. The nations of the world have introduced a passport and visa system, which, as in our country, can deny any citizen the exit out of our own country for merely not sharing, or collaborating with, the political views of those individuals currently in the political control of our Government.

We recollect that prior to 1914 we could go and leave any country in the world without asking, or begging anyone for permission to come and go. That was the free world for all of us. With the order to close the respective frontier crossings, each nation has become what might be considered a cell of contained concentration camps. Is that the kind of a free world we must defend? The United Nations Charter, which treats of fundamental freedoms, without giving a definition of the term, under article IX "immunities and privileges" gives the right of freedom and free travel throughout the world expressly

to United Nations directors, employees, and other personnel. The rest of us will still have to beg permission to go where we please, and may receive it if we conform to a policy dictated by a few who do not represent the majority opinion. And, as you also know, to conform to something you do not believe in is giving up your freedom.

Therefore, our immigration policies are of no importance to the defense of what is called a free world. The free world that faces the continuous stream of refugees and escapees from the iron-curtain countries refuses to give these unfortunates but very little permission to come in, and by their productive skill add to the wealth of the land to which they might go.

We wish to call your attention here to the two terms employed in the statement by the President—"refugee" and "escapee." The latter designation "escapee" is a new one used in immigration legislation. We ask where is the term "expellee"? We suspect that this is a deliberate omission on the part of the authors of the statement by the President. Heretofore, an expellee was defined as a Volksdeutscher; that is, a person of German ethnic origin, whatever country he might have been born in. We will recollect how much resistance was shown in the formation of the second DP bill, and to the final compromise admission of the 55,000 into that law.

We also suspect that there might be an intention to define and classify refugees and escapees as persons who are still escaping the iron-curtain countries, or who have escaped these countries in postwar years, and leave the German expellees, who have been expelled during the war and immediately after the war, completely out of consideration.

This we do not want to happen. And we regard it as pure discrimination, if that is the case.

The CHAIRMAN. Just to set your suspicions at rest, I am sure nobody has any such thoughts as you have expressed here.

Mr. WERK. I am expressing here——

The CHAIRMAN (interposing). A refugee, I suppose, would include expellees. Insofar as this Commission is concerned, I don't think there is any disposition to draw any fine lines of demarcation.

Mr. WERK. And since we as individual citizens——

Mr. ROSENFIELD. You pass that off. You obviously meant the Commission to understand that there was an effort by the President to discriminate against expellees. Do you mean that?

Mr. WERK. Because previously in deportation legislation we recollect that a refugee was anybody who flees from some fear or some danger to his life; and we notice that those who are more deserving of help in the DP bill were those who by superior force of their will were thrown out of their homes and did not flee voluntarily because of the fear of persecution.

Mr. ROSENFIELD. I beg your pardon; they were included in the original bill.

Mr. WERK. They were not in there. The first original bill, as amended, if that is what you mean.

Mr. ROSENFIELD. I beg your pardon. The 1948 act provided for 46,000 German refugees. I am afraid your facts are wrong. In both, what you call the expellees were covered and in the President's special message of March 24, 1952, which you seem to imply was a discrimination of expellees, he provided for 117,000 of them.

Mr. WERK. The President did not say anything in his statement, and it was not explicit enough, and if that is the case that has to be corrected.

Commissioner O'GRADY. You are mistaken about that, as expellees have been covered in the original and amended DP legislation. And they have not been excluded from the subject we have been holding hearings on.

Mr. WERK. I want to bring out this clearly and have it clearly understood that this is the opinion of many people on the Germanic element in America. In the leadership I noticed with some suspicion that the term "expellees" was missing and construed it as excluding the Germans all together, or some kind of discrimination.

Mr. ROSENFIELD. May I make that so the record is perfectly clear, Mr. Werk, so you might assist those who may be misapprehending the act. Under the 1948 unamended act, 10,080 visas were issued to persons of German ethnic origin, or so-called expellees, and as a matter of fact the word "expellee" has been in no statute. It is a word that is used for simplicity's sake instead of the longer term "persons of German ethnic origin," and the President's special message of March 24 specifically includes them; so that I think perhaps, to avoid misunderstanding, you might advise those of that fact.

Mr. WERK. Yes; I will do that, because I have read the first DP bill, and there was no mention of it.

Mr. ROSENFIELD. Section 12 of the original DP Act. The word has not been used in any statute. It is "persons of German ethnic origin," the exact words used in the second statute.

To allay your fears on it, 10,080 were admitted under the original act.

Commisioner O'GRADY. The difficulties in getting that program rolling weren't due to anything in this country; it was due to the problem of getting started over there.

Mr. WERK. Yes; that is very correct.

Anyway, we say this: Since we as individuals are collectively American, and since we without collective protest permitted the expelling of these some twelve million from their ancestral homes which they by peaceful means settled, developed, and lived in 3 to 10 times longer than we have lived in this country, we have made ourselves collectively guilty of a crime against humanity. My fellow Americans, will we still have opportunities to make amends in our time? Let us be as human as we pretend to be and make these amends.

As a Nation, let us recognize that with good will we can by this method buy more and better friends than with money. We request with utter sincerity and with complete dispassion that the term "expellee" also be incorporated in any statements, literature, or anything else that may be forthcoming out of this Commission, and that "expellee" be defined as a person of German ethnic origin, as you have had it before, driven from ancestral homes against their free will by superior physical force, as the result of the Potsdam decree.

Commissioner O'GRADY. What of the Italians who were expelled from Yugoslavia?

Mr. WERK. Yes. We notice that the President's statement speaks of the overpopulated areas in Western European countries. We can assume that with that is meant the countries of Greece, Italy, Ger-

many, Netherlands, and perhaps some other small ones, but these are the principal countries that have a different overpopulation problem. The Greeks have it to a large extent. Their quota is small. The Italians have overpopulation from expellees driven back from African colonies.

Commissioner O'GRADY. And would you include Bulgarians from Greece, Yugoslavia, and Rumania?

Mr. WERK. All those western countries. We, after a discussion, believe that at least emergency legislation should be passed to alleviate the overpopulation problem in these countries; that effort should be made not to settle all of them in these United States but in other areas of the world where there is sufficient room; and, as to the quota system of reassessing our quota policy, of course, we at times do not or are not today as they were in 1924 when the quota system was set up. That quota system needs overhauling, and it is our suggestion that the quotas as they were might be increased to the extent of taking a percentage of the nationalities group living in the United States as of 1950. Give them a proportionate quota which would be an increase over the 1924 quota.

The CHAIRMAN. Do you think quotas based on race or national origin ought to be retained?

Mr. WERK. Yes; it is our opinion throughout, and I haven't found anyone who disagrees, unless 1 or 2 percent maximum who would disagree with that. Most of them are for the national-origin quota and also are for the McCarran bill. Well, the McCarran bill may be inadequate, but we consider it a good bill and very adequate for the security of our country.

Commissioner O'GRADY. Do I understand you favor the national-origin theory in the immigration law?

Mr. WERK. I sum up here with the opinion of the people consulted, and they do believe, without any thought of discrimination—without any thought whatsoever of discrimination—that our quota system for the protection of our population is inadequate. It could be increased, but they are not willing to consent to the immigration of Asiatic people.

It is the opinion of the Germanic group in the United States that the quota should be enlarged and the percentage increased, based on the population factor in the United States of 1950 instead of 1920, and thus a certain amount more people would be coming in.

Commissioner PICKETT. Has your group discussed the effect of that on foreign policy?

Mr. WERK. Our group as a whole is opposed to, for instance, a world ideology as proposed by the United Nations Organization. We are against the United Nations Organization and any policies that might subordinate the independence of the United States of America to a foreign government or to any other government that might be superior to our Government.

The CHAIRMAN. What view does your organization take of the North Atlantic Treaty Organization?

Mr. WERK. Well, the opinion on the North Atlantic Treaty Organization is divided, but it is safe to say that 98 percent are against it.

Commissioner FINUCANE. Are you speaking of members of your own society?

Mr. WERK. Not necessarily. I take an interest in public affairs, and I try to gather opinion also from others.

Commissioner FINUCANE. I mean of this 98 percent. Of what? Your organization, those of German extraction, or what?

Mr. WERK. Yes. I would say, yes, of the Steuben Society.

The CHAIRMAN. Ninety-eight percent is opposed to what?

Mr. WERK. To our being in the United Nations and, specifically, to subordinate the independence of the United States to the United Nations Organization.

The CHAIRMAN. Then are they opposed, in your opinion, to NATO—the North Atlantic Treaty Organization?

Mr. WERK. Yes; these people have this bias, and I believe you have to grant it to them. They know, for instance, that in 1945 our Military High Command was begged before surrender to turn around and fight communism, and we refused that. That is known, and the world knows it today. So, you see, that bias exists there and they have the right to have that bias.

Commissioner GULLIXSON. Mr. Chairman, I would like to remonstrate against the concept that the witness speaks for the Germanic element in the United States, which element reaches back beyond the Revolutionary War. I think we must hold within bounds as to those that are represented.

The CHAIRMAN. He is entitled to say——

Commissioner GULLIXSON. Personally and as a representative of this society.

The CHAIRMAN. He is entitled to say what he represents and speak for them.

Mr. WERK. I am telling you the opinion of the people of Germanic extraction of today and not those of the days of the Revolutionary War.

Mr. ROSENFIELD. For whom are you speaking before the Commission this evening?

Mr. WERK. I am speaking as a member of the Steuben Society of America, as a member of the public-affairs committee. It is a national organization.

Mr. ROSENFIELD. Is your testimony on behalf of the national organization and has it been approved by the national organization for testimony here?

Mr. WERK. I must say in that respect that it has not been approved, for it did not get there in time.

Mr. ROSENFIELD. The reason I ask is that the national president of the Steuben Society of America was asked to testify among the first and was unable to, and I wanted to know if you were speaking in his behalf.

Mr. WERK. Not in his behalf at all. I am speaking as a member of the national council. I may not speak, as I have said before, for 100 percent of the opinions, but I am speaking for the national council of the society.

Mr. ROSENFIELD. May I ask two questions, please? Mr. Werk, at the beginning of your testimony you stated that this was no longer a free world because persons couldn't travel without passports and visas. Did you mean to recommend to this Commission that it recommend the abolition of passports and visas?

Mr. WERK. I don't think so. I have also thought of that. It may not be feasible; however, that would be a free world.

Mr. ROSENFIELD. In other words, would that be your goal?

Mr. WERK. That would be a free world.

Mr. ROSENFIELD. And a desirable goal in your thinking?

Mr. WERK. Yes, and I say that of my own experience. In 1950, I intended to make a tourist's tour through the South American countries and somehow because of my activity, my membership in the German-American organizations in general and public affairs, I was considered too much pro-German and was suspected by someone. I don't know where it came from, but it was suspected I was going to South America as a liaison man between these and illogically those in Argentina. I had nothing to do with it and was refused a passport to all those countries.

The CHAIRMAN. What year?

Mr. WERK. 1950.

Commissioner PICKETT. Did you say "passport"?

Mr. WERK. The passport I had, but I was refused a visa and was not given a reason until one consul said "We have received a letter from a police department which says that you are all right and there is nothing against you criminally or civilly, but you are suspected of being an agent."

Mr. ROSENFIELD. Which countries?

Mr. WERK. All of them, all of the Latin-American countries.

The CHAIRMAN. Were you a member of the German-American Bund?

Mr. WERK. Not to my knowledge.

The CHAIRMAN. Where were you during the war?

Mr. WERK. In America. My ancestors came here in 1822, when Andrew Jackson ran for President.

Commissioner O'GRADY. Did they refuse to visa your passport in Argentina and Chile?

Mr. WERK. Yes. You see, I felt I was in a concentration camp. It is not a free world in that case.

Commissioner PICKETT. You can hardly hold that against the United States.

Mr. WERK. Somewhere though.

Mr. ROSENFIELD. May I ask the second question, sir? You said that you thought what ought to be done with the quota system was to retain it but it ought to be overhauled in two ways: (1) by increasing the quotas, the numerical size of the quotas, and (2) by using the 1950 date. I think that is what you said.

Mr. WERK. That would increase it, I suppose; yes.

Mr. ROSENFIELD. Do you have any figure you would like to recommend to this Commission for increasing this quota? It is now 154,000. What figure would you like this Commission to think of as a desirable one?

Mr. WERK. I believe a desirable one would be the figure that has been mentioned before, 250,000, as a regular quota.

Mr. ROSENFIELD. And apply the regular quota basis according to the 1950 census on 250,000.

Mr. WERK. No, no. I mean 50 percent of our quota laws have been set at 3 percent of the quota origin of 1920.

Commissioner O'GRADY. One-sixth of 1 percent.

Commissioner FINUCANE. Are you suggesting a new formula?

Mr. WERK. No; I thought it was 3 percent.

Mr. ROSENFIELD. That is one of the earlier laws. It has been changed since. But your figure is 250,000, in terms of which the formula should be applied?

Mr. WERK. Correct.

Mr. ROSENFIELD. And you wouldn't change or would change the formula?

Mr. WERK. No. If the formula should be changed to some extent, the respective quota numbers apportioned to various countries should be in that percentage increased.

Commissioner O'GRADY. Would you continue to give Britain a large quota even though it has only been using a fraction of it?

Mr. WERK. If the experience of the immigration authorities in the past years has shown that the British quota at 65,000 yearly has never or hardly ever been used up completely, you would be naturally justified in reducing that amount per year.

The CHAIRMAN. Would you distribute that unused amount to the other countries?

Mr. WERK. I would distribute that to some of the others, but I would favor western European countries, and I tell you that frankly.

The CHAIRMAN. Amongst what countries would you distribute them?

Mr. WERK. From Greece upward to Scandinavia.

Mr. ROSENFIELD. Would you include southern European countries?

Mr. WERK. Oh, yes, yes. I meant all the Mediterranean ones as well as northern European countries.

Mr. ROSENFIELD. Would you redistribute them among Europe rather than other parts of the world?

Mr. WERK. Yes.

The CHAIRMAN. Thank you very much.

Is Mr. Saul Alinsky here?

STATEMENT OF SAUL ALINSKY, REPRESENTING THE BACK OF THE YARDS COUNCIL IN CHICAGO

Mr. ALINSKY. I am Saul Alinsky, 4919 South Woodlawn, Chicago, representing the Back of the Yards Council.

The Back of the Yards Council has a membership of approximately 215,000 people, including a substantial block of German descent American citizens.

What I have to say is the decision, and certain other areas it is the sense—I shall indicate specifically which is a formal decision and which is a sense—of the executive board and the officers of the Back of the Yards Council. About 60 percent of our people are of Polish national extraction. The others vary from Lithuanian, Slovak, German, and generally central European stock.

It is their unanimous decision—and this is to be formalized as a resolution at their annual meeting, and I am speaking as chairman of their resolutions committee on this—that the McCarran omnibus immigration bill carries throughout and within it a definite Nazi, Nordic philosophy that looks down upon all non-Nordic peoples as being inferior. When I say "Nordic" and when they say "Nordic" they are thinking specifically of peoples of Britain, France, Scandinavian countries, and Finland. By "non-Nordic" they mean, and I am speaking of the continent of Europe, the inhabitants of all central and

southern European nations. They feel, and again this is still in the area of a decision, that this kind of a bill is a deliberate outrage and an insult to every American citizen whose ancestors have come from the non-Nordic countries. They feel, too, that this bill is very definitely anti-Catholic as well as being anti-Semitic. As a matter of fact, we believe it is completely anti-American.

We would like to submit, on the Catholic Church area, that we have questioned many of our priests in this area who are Polish, Lithuanian, and Slovakian background, and their parents could never have been admitted to the United States under the specific clauses, particularly those requiring a skilled trade, and so on, which are a part of this particular bill.

Here I am not giving you a formal decision. It is simply the sense of the discussion. We became interested in looking over the hierarchy of the Catholic Church and it would be of great interest to us to see just how many of those individuals would have been born in this country if their parents had had to face this kind of an immigration policy and whether their parents would have ever been admitted to this country. We don't know, but we would be very much interested to find out whether Senator McCarran's parents or grandparents had the necessary prerequisites to be admitted to this country. I am restraining myself of a very prejudicial comment at this point. I don't know why I should restrain myself because in the light of the record I am speaking as an individual here.

Now, for the sense. For our foreign policy no greater creature could have been concocted in the Kremlin than was concocted in the McCarran immigration bill. All you have to do is just look at it without going through any mental gymnastics. We are saying to the peoples of central Europe and those who are behind the iron curtain that we don't consider them to be as good as others and, as a matter of fact, we want as little of you as possible. And all the Communists have to do is say to those we have proved to be friends to, "What are you talking about the United States? Here." We cannot see a more pro-Communist piece of legislation than the McCarran bill. We feel it is a danger of the first magnitude for our foreign policy. We are convinced it is utterly against every tradition of what we believe is the American way of life and that every measure should be taken for its repeal as quickly as possible.

That concludes my statement.

Commissioner PICKET. Have you given any consideration to what you would propose to take its place? In specific terms, what do you think ought to be the basis of immigration into this country?

Mr. ALINSKY. Some, but no more than to make a few comments and to—I am not trying to evade—I just don't want to make a general statement on which I have no factual basis. I think, gentlemen, such as some of you whom I know should be on a Commission to study the entire problem to take into consideration some of those security factors. I could not help but be impressed by the testimony I have heard here; I think we should be completely secure on it. We just don't want to let anybody into this country. I think it has to be the kind of bill that cannot be in the slightest sense discriminatory. You cannot square a discriminatory bill with our presently professed foreign policy. By that I mean that we cannot have any line of dis-

crimination, not on a non-Nordic or Nordic basis, but on a world-wide basis. We cannot discriminate in the slightest against natives of Africa or the Orient.

It is my personal opinion that our Oriental Exclusion Act, which we had for so many years, was certainly a significant factor in our difficulties in making any kind of successful headway with making ourselves understood in the Orient. I don't think we should make that mistake again. I think this business of—what is it—100 in the Orient—is just stupid to the point of being ridiculous.

Commissioner GULLIXSON. In your definition of "Nordic" you include France, but how far down into Germany would your geographic line go?

Mr. ALINSKY. Well, when I am using the term "Nordic" I suppose you have to think of it in the Hitlerian terms. I just don't know how much difference there would be with the so-called anthropologic basis over Hitler's. You would have the Scandinavian countries and the British Isles, and I am not sure that it would include even southern France.

Commissioner GULLIXSON. Do you include Belgium and Holland?

Mr. ALINSKY. Yes; Belgium and Holland.

Commissioner GULLIXSON. And would Germany run into Bavaria?

Mr. ALINSKY. I suppose, and since Hitler established that anyone of any kind of teutonic origin was regarded as being Nordic.

The CHAIRMAN. Do you think Hitler's theory was based on real ethnic foundation?

Mr. ALINSKY. On that basis I don't have much ground to say really one way or the other. There has been so much fraternizing or interrelationship.

The CHAIRMAN. Do I understand you consider it on geographic lines rather than any lines based on human concept?

Mr. ALINSKY. Yes.

I was a bit confused listening to the previous witness. I came in for the last 15 minutes of his testimony and heard a statement of arguing for preference to the so-called Nordic people and then particularly followed up by another statement saying that the gentleman did not consider Nordic people to be superior to the non-Nordic people, and I couldn't understand it. Was the gentleman arguing on the basis of the Nordic people were here first and it is their country and nobody else is to be permitted in, or is this what it frankly sounded like to me, a position of Nordic superiority, which is what I thought we had gone through the last war on.

Also, for the record, I don't know about this Steuben Society. I know Americans of German descent, but most emphatically the mass of those people, who are part of our organization through their churches and fraternal societies and social groups and recreational groups and so forth—that would be the last sentiment in the world that would represent their thinking.

The CHAIRMAN. What group are you talking about?

Mr. ALINSKY. The group of American citizens of German descent who live in our community, and there is a sizable group.

The CHAIRMAN. Do they disagree with the views you heard expressed?

Mr. ALINSKY. Most emphatically. They think as Americans and not along the lines of Nordic, Nazi groups. We do not distinguish between Nordic superiority and nazism. .

The CHAIRMAN. Thank you very much, Mr. Alinsky.

Is Mr. Leon Yonik here?

STATEMENT OF LEON YONIK, EDITOR, LITHUANIAN DAILY VILNIS

Mr. YONIK. I am Leon Yonik, 3437 South Emerald, Chicago. I represent the Lithuanian Daily Vilnis, 3116 South Halsted Street, Chicago, a national publication, of which I am editor.

I have a prepared statement I would like to read, stating the policy of our paper on the law under discussion.

The CHAIRMAN. You may do so.

Mr. YONIK. Thanking the Commission for this opportunity I will proceed. We think the Immigration and Nationality Act of 1952, besides many other shortcomings, divides the citizens of this country into two classes—native-born and naturalized immigrants.

We already have sufficient laws to deal with law-breakers; now we are given a special law for naturalized citizens, which will create many prejudices against racial and national minorities, the effects of it will soon be seen.

In industrial or political disputes it will not be hard to accuse a naturalized citizen of disloyalty, or some other misdeed, and he will be subject to the loss of citizenship and perhaps deported, regardless of how deep his family roots are implanted in his adopted fatherland.

The law discriminatorily restricts the naturalized citizen in regard to travel, as to his past affiliations, is retroactive.

Derivative citizenship is lost if a parent of a minor or spouse loses his, or her citizenship for whatever cause.

That, in short, about the citizenship. Now as to the discriminatory immigration. We feel and believe, that immigration laws should be liberalized instead of putting more restrictions. If we wish to show any favortism to any country or nationality, it should first favor those countries that have suffered most from the last war and the economic hardships that followed.

The law in question gives unlimited power to the Secretary of Labor, the Secretary of State and our consular services abroad.

How unfair some parts of the law are, was brought out by a member of this Commission at this morning's proceedings. The Secretary of Labor will decide whom and how many immigrants to admit to this country, regardless of the quota, if there will be no shortage of labor in that particular line of work.

Increase in population, by birth or immigration, never created hardship in this country before and we believe it will not in the future. American ingenuity has always found work and housing for an increased population. That this contention is true was proven by the admittance of hundreds of thousands of new immigrants—the displaced persons in the past several years.

Today, there is less shortage of housing than there was 4 years ago. And if there is some unemployment, it is not caused because of new immigrants.

We wish to go on record, as emphatically opposing any discrimination on the basis of race, religious creed, political affiliation, nationality or geographic grounds. If we find that new legislation is necessary, let us legislate without prejudice.

The CHAIRMAN. Thank you, Mr. Yonik.

Our next witness is Mrs. Lewis.

STATEMENT OF MRS. HELEN A. LEWIS, PRESIDENT OF THE CHICAGO COUNCIL OF EMMA LAZARUS CLUBS

Mrs. LEWIS. I am Mrs. Helen A. Lewis, 1508 Juneway Terrace, Chicago. I am president of the Chicago Council of Emma Lazarus Clubs, serviced by the Emma Lazarus Federation of Jewish Women's Clubs. I am here to represent my organization and have a prepared statement I will read, if I may.

The CHAIRMAN. We will be pleased to hear it.

Mrs. LEWIS. I wish to start with the inscription on the Statue of Liberty:

> * * * Give me your tired, your poor,
> Your huddled masses yearning to breathe free
> The wretched refuse of your teeming shore;
> Send these, the homeless, tempest tost to me,
> I lift my lamp beside the golden door.

It is in the spirit of this noble poem, inscribed on the Statue of Liberty, which has welcomed millions fleeing from tyranny, or otherwise seeking the world renowned blessings of this land of liberty and opportunity, that we came here today, together with numerous other organizations, to present our view of the McCarran-Walter bill which threatens to rob America of its most precious, and distinguishing characteristic, democracy.

Emma Lazarus, not an immigrant herself, a daughter of pre-Colonial settlers, championed the rights of the foreign-born and welcomed the immigrants. Thus, we American-born women of this committee, do speak here today on behalf of the foreign-born, and in particular, the noncitizen and the naturalized citizen. We wish to point out but a few of the provisions of the McCarran-Walter law which subverts the spirit and ideals and constitution of our great country.

Denaturalization: A person can be denaturalized if within 5 years after naturalization he acquires membership or affiliates with an organization which the Attorney General deems subversive. This provision would reduce millions of naturalized citizens to a second-class status whose rights to citizenship would be subject to their conformity to the whims of the Attorney General.

Section 241 (a) (7) provides deportation for anyone who "at any time after entry has had the purpose of engaging in activities prejudicial to the welfare and security of the United States." This would establish the principle of preventive arrest, which gives unlimited power to the Attorney General. The provision is so broad, it defies definition, yet it is punishable by denaturalization and deportation.

These provisions likewise apply to the citizens who derived their citizenship through their parents. Can it be that in America a child can be held responsible for the actions and beliefs of his parents?

The whim or caprice of an unfriendly neighbor can bring about the deportation, the denaturalization of the foreign-born.

Section 101 (a) provides "the term 'advocates' includes * * * admits beliefs in." Not only is the noncitizen or naturalized citizen forbidden to advocate unpopular doctrines on pain of deportation, but in addition, mere belief in them is made equivalent to their advocacy, and advocacy is punishable by denaturalization and deportation.

Bail: The Attorney General may grant or revoke bail "at any time in his discretion" (section 242 (a)). Thus bail becomes a punishment instead of a simple procedure to secure appearance. Even those charged with the most serious crimes can, prior to conviction and even after, pending an appeal, secure bail. But this constitutional right would be denied noncitizens and naturalized citizens who are neither charged with nor convicted of any crime.

We wish to stress the danger to our American institutions and way of life that is inherent in the McCarran-Walter law, with its denaturalization and deportation processes, and to express our abhorence of its racist basis for quotas, and its provision for designating ethnic origin and religious preference. These provisions are distinctly prejudicial to the Jewish and colored peoples; Asiatics and Negroes alike. Jews still stuffer from effect of antisemitism left over from fascism and have a great need to emigrate to United States; quotas prohibit this.

I was just reading a case where a woman applied for a visa and where she was to put her religion down she put down "Jewish," and then she reflected what she had been through. She said so many of our people were killed by Germans, and then she began to recall and she was asked "Don't you mean they were killed by the Russians?" And she was terribly frightened. I don't remember whether she got the visa or not. I know that those things happen time and time again. We feel it isn't a question of a person's religious preference or race, but simply because he is a human being and not, what shall I say, suspicious of committing some terrible crime that would be inimical to the United States.

We recall that the first 23 Jewish families who settled in this land were ordered deported by Peter Stuyvesant.

We know that many people are suffering from the Hitlerian philosophy and they cannot come into this country quick enough and they are still suffering hardships. We feel that is a special problem and should be treated as a special problem because they were singled out as a special case. For 3 years they fought for the right to remain and to help build this country, and they won. Today, there are 5 million Jews in America; a monument not only to these 23 families, but a living part of the whole democratic way of life which we have today in the United States.

This McCarran-Walter law hits the Jewish community. We, therefore, appeal to this President's Committee to recommend the repeal of this un-American, autocratic law because it is inimical to the best interest of our country and subverts its democratic guarantees under the Bill of Rights by creating second-class citizens and providing for cruel and unusual punishment without due process of law.

We feel that the McCarran bill should be repealed in its entirety. Whatever immigration laws there were in the past perhaps can be liberalized rather than restricted, but we feel that this McCarran bill

is certainly a subversive bill because it takes away and abrogates the rights that are guaranteed to all the people under the Constitution and under the Bill of Rights, and it was not ever intended, I am sure, that there should be first-class and second-class citizens of the United States of America.

The CHAIRMAN. Thank you very much.

We will now take a recess until 9:30 tomorrow morning.

(Whereupon, at 5:35 p. m., the Commission recessed until 9:30 a. m., October 9, 1952.)

HEARINGS BEFORE THE PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION

THURSDAY, OCTOBER 9, 1952

THIRTEENTH SESSION

CHICAGO, ILL.

The President's Commission on Immigration and Naturalization met at 9:30 a. m., October 9, 1952, pursuant to recess in Room 237, Federal Building, 219 South Clark Street, Chicago, Ill., Hon. Philip B. Perlman, chairman, presiding.

Present: Chairman Philip B. Perlman, and the following Commissioners: Msgr. John O'Grady, Rev. Thaddeus F. Gullixson, Dr. Clarence E. Pickett, Mr. Thomas G. Finucane.

Also present: Mr. Harry N. Rosenfield, executive director.

The CHAIRMAN. The Commission will come to order. Our first witness this morning will be Prof. Samuel K. Allison.

STATEMENT OF SAMUEL K. ALLISON, PROFESSOR OF PHYSICS, UNIVERSITY OF CHICAGO, AND DIRECTOR OF THE INSTITUTE FOR NUCLEAR STUDIES

Professor ALLISON. I am Samuel K. Allison, professor of physics, University of Chicago, and director of the Institute for Nuclear Studies, 5816 Blackstone Avenue, Chicago.

I would like to tell some of the experiences that I have had personally in connection with the application of what is commonly known as the McCarran Act.

The experiences that I shall relate have to do mainly with members of my own profession, that is, of physics. I would not like to have these remarks interpreted in the sense that I am requesting any special privilege for this profession. I am simply using these examples because they are known to me personally as are many of the persons involved.

The CHAIRMAN. When you say the McCarran Act, are you referring to the act of 1950?

Professor ALLISON. That is correct.

In September 1950, I was asked by the Office of Naval Research and by the University of Chicago to organize an international conference on the subject of nuclear physics and the physics of fundamental particles. This conference was to take place and did take place at the University of Chicago in September 1951.

Now in September 1950 there had already been examples of these troubles and I had great misgivings in undertaking to organize this conference because I suspected or feared that I would invite people

who would have difficulty and embarrassment in getting their visas. I edited the list myself, trying to select simply those people who I was completely sure of as being persons who would be loyal to the United States and to the western democracies. In order to avoid embarrassment as much as I could, I submitted this list to the State Department in December 1950, asking for guidance, saying that I would like to avoid embarrassment and would they please indicate if any of the people on this list might have visa difficulties.

I received the silent treatment, that is, no communication whatsoever for 4 months and I never did get any communication from the State Department regarding this document.

The CHAIRMAN. Who was it sent to?

Professor ALLISON. The document was taken by hand to the State Department and it was submitted by an officer of the ONR and an officer of the Atomic Energy Commission. It was taken to the Visa Section of the State Department.

The CHAIRMAN. You don't know who received it there?

Professor ALLISON. I do not have the name of the man who received it.

Now it became necessary to issue invitations at the end of March and I asked the officer of the ONR, namely, Dr. T. J. Killian, to make a personal visit to the State Department to see what had happened and what advice to give me.

He made this visit and I do not have the name of the man he saw. He reported to me that the State Department was unable to make any comment on this document in any way, and he advised me to proceed and to issue the invitations, which I did.

Now, most of the people whom I invited were admitted to the United States; some of them, however, were admitted with considerable difficulty. I wish to point out that there was no question of penetration of security areas. The subject matter introduced at the conference was of a completely unclassified nature and none of these people would have had any opportunity to come into contact with the security areas in this country.

They were all busy men in their own countries. They made a round trip of a week or so in the United States and returned. Now the ones who were not permitted to come are the following: Dr. Lea Kowarski, of the French Atomic Energy Commission; Dr. S. Devons, of the Imperial College of Science and Technology; Professor Oliphant, of the University of Australia; and Dr. S. T. Butler, of the University of Birmingham.

There were other cases in which people came to the conference not because they obtained a visa but because they had arrived by other means. Let me be more specific. Dr. Rudolph Peierls, of the University of Birmingham, England. He came to the conference without a visa because he was a delegate sent by the British Government to the United States. His visit happened to coincide with the time of the conference. He was sent here to discuss security matters. He is an authority on atomic energy and he was officially in the country and he came to the conference.

Mr. ROSENFIELD. By that, you mean he obtained a visa for other purposes and not for the conference?

Professor ALLISON. He had a diplomatic visa.

Dr. Pierre Auger, who is head of Physical Sciences Division of UNESCO. He obtained a visa through UNESCO duties and was able to arrive.

Now, these instances or incidents, it seems to me, redounded adversely to the good name of the United States.

The CHAIRMAN. What instances? Were some of them rejected?

Professor ALLISON. The fact that some men were excluded from the United States, others were well known and are known only to have entered because of special channels.

The CHAIRMAN. Had they been rejected on your application or your invitation?

Professor ALLISON. They applied for visas in their own countries.

The CHAIRMAN. And they were rejected?

Professor ALLISON. And were rejected.

Commissioner FINUCANE. Do you know the basis of the rejection?

Professor ALLISON. Well, the State Department never discloses the rejection except in very special circumstances. If you inquire, as I did, you will get a formal form letter, more or less stating that the action was taken in the best interests of the United States. I have, however, recently talked to a colleague of mine whom I hold in great respect, who has seen the charges on which Dr. Peierls was excluded from the United States, and he has informed me that these charges are ridiculous and that many of them are wrong factually; that they are not matters of fact.

I would also like to make some remarks about the exclusion of Dr. Oliphant.

Commissioner FINUCANE. The basis, I assume, had something to do with membership in what may be determined broadly a subversive organization or something of that nature?

Professor ALLISON. Sometimes they do. I believe. Actually Dr. Peierls is not a member of any such organization.

Commissioner FINUCANE. Was the allegation that they had been?

Professor ALLISON. I have not seen these allegations personally.

In the case of Dr. Oliphant, I have known him for quite a while, and in 1940 and 1941 he was instrumental in spurring us onward to the realization of atomic weapons in war. I was at the time on a committee in Washington. We were aware that the uranium problem existed, and we were working at it in a somewhat leisurely fashion. We were not yet in war. We were thinking in remote terms of perhaps some atomic energy in 10 or 15 years. Dr. Oliphant came from England and made such stirring remarks and such eloquent remarks that they spurred us on, and it was this impact that reorganized us and started us on a really intensive program which resulted in the developments which you all know about.

Well, I simply want to point out again that these incidents are injuring the United States among the people in foreign countries, and no one is suggesting that people be admitted to the security areas, that is, to the operations of the Atomic Energy Commission or other military areas of security, without complete investigation. I am not suggesting that for a moment. But I believe that if we have armed guards and barbed wire around these places that it is the converse of the situation that there should be free areas in the United States, areas which are free for visitors to come and discuss things and say

what is on their mind, and in particular I think that the McCarran Act has been grossly abused when it has applied to people who only wish to come to the United States for a visit of a week or few days. They can't set foot in the country.

This happened in Houston, Tex., last fall at a meeting of the American Physical Society, a delegation from Mexico was to come and present papers one afternoon, papers on technical subjects. At the last minute the visas of two of the prospective speakers were refused. The entire Mexican delegation refused to arrive in sympathy with the two members who were turned down, and a bad international incident arose. This was merely a question of flying into Houston, Tex., and at noon giving some papers, and fly back to Mexico City that evening.

I would like to allow my colleague, Dr. Smith, to make some remarks, and I think I shall conclude now, unless you have some questions.

The CHAIRMAN. Thank you very much, Professor.

Mr. ROSENFIELD. Professor Allison, would you have preferred some formalized arrangement such as the preconference clearance technique that you attempted to arrange?

Professor ALLISON. I have considerable sympathy with the State Department. They are attempting to administer; they must administer and they must obey the law. They are administering the McCarran Act as best they can. But they are completely understaffed for the purpose. The questions that must be asked to the people under the McCarran Act are so detailed, so diversified and require such an investigation that they are completely swamped. I think if the McCarran Act is to stand as it is it would be a good thing if the State Department could advise and investigate in advance to help avoid embarrassment in these matters, but they seem to be so swamped that they cannot even do that.

The CHAIRMAN. Thank you very much.

Professor ALLISON. I should like to submit for the record a copy of a joint communication from Prof. John U. Neff, professor of economic history and chairman of the committee on social thought, Prof. Cyril Stanley Smith, professor of metallurgy and director of the Institute for the Study of Metals, and myself to Lawrence A. Kimpton, chancelor of the University of Chicago, concerning the subject I have been discussing.

The CHAIRMAN. It may be inserted in the record.

(The communication follows:)

DECEMBER 21, 1951.

Mr. LAWRENCE A. KIMPTON,
Chancelor, the University of Chicago,
Chicago 37, Ill.

DEAR MR. KIMPTON: The undersigned are deeply concerned with the adverse effects on the intellectual life of this university and the country resulting from certain provisions in the Subversive Activities Control Act of 1950 (the McCarran Act) and we urge that you make a protest to appropriate United States legislative and administrative officers who might be able to encourage and effect amendment of the act. Under the provisions of the act visas have frequently been denied—or at least delayed for extreme lengths of time—to scholars and scientists desiring to visit the United States or to emigrate to it. We have direct knowledge of many cases in which the enforcement of the act has deprived the United States of the knowledge and experience of prominent scholars, and has most seriously damaged the reputation of our country for the maintenance of intellectual freedom.

It has become very difficult for a reputable university in the United States to invite foreign scholars to participate even temporarily in the intellectual life of the institution and this at a time at which a feeling of communion among the universities of the free world is greatly to be desired. We are losing contact with the scholarship and ideas of the world outside us. The whole course of history has shown the internationality of knowledge and the importance of fertilization of ideas developed in different environments.

To our amazement we find that our doors are shut in the face of an eminent physical scientist invited for a week of scientific meetings, and that celebrated political and social philosopher, who has accepted a chair at our university, has not been granted a visa 12 months after his initial application. These are by no means isolated cases; on the contrary, they are typical of what is happening throughout the scholarly world.

We are spending vast sums to keep secret those defense activities which must be classified, and these newcomers here, just as any citizen, would be warned away from classified areas, and prevented from learning these secrets. The very idea of the guards and the restrictions is that there should remain in our country areas of freedom in human activities, in which people may freely speak their minds, and regions in which they may travel, visit, and observe according to their interests. Unless such freedoms are left in our country, a very important purpose of the guards and the barbed-wire fences has not been realized.

The legislation of which we complain is bad because it is written as if every visa applicant, rather than one in a hundred thousand, should be seriously suspected as a person whose presence here would be detrimental to the best interests of our country. This suspicion, obviously underlying the incredibly involved clearance procedures exasperates and humiliates every visa applicant. Furthermore, the act is not written in such a manner that it can be successfully administered. The investigations demanded concerning each visa applicant are so far reaching and detailed that months and months, even years, are required to clear an applicant for a 10-day visit. We know of many cases in which the embarrassment and humiliation of an applicant has spread in the form of anger through his friends and associates, who know perfectly well that he is a person of integrity. We have an example of a case in which the entire delegation from a foreign country refused to attend a meeting of a learned society in sympathy with the treatment of some of its members. Such cases legitimately raise the question whether ours is the land that fosters freedom, tolerance, justice, and respect for the individual.

Our country is strong enough to hear itself criticized, if visitors and immigrants care to criticize us. Our security agents are now alert and able to conceal those activities which must be kept from unfriendly eyes. We should not set a shameful example to the world of panic and hysteria, and it is only in such an atmosphere that the legislation we refer to could have been enacted.

We urge that action be taken to replace the objectionable McCarran Act with a set of carefully considered and workable regulations concerning the granting of visas. Regulations should not be drafted in an atmosphere which considers as the motivation for every visa application a desire to injure the United States. It would also seem to us that legislation of this sort should not be formulated without the advice of those who will have to administer it and those who have had wide experience in the visa problem.

Very truly yours,

SAMUEL K. ALLISON,
Professor of Physics and Director of the Institute for Nuclear Studies.
JOHN U. NEFF,
Professor of Economic History and Chairman of the Committee on Social Thought.
CYRIL STANLEY SMITH,
Professor of Metallurgy and Director of the Institute for the Study of Metals.

S. T. Butler

S. T. Butler is an advanced scholar of the department of mathematical physics at the University of Birmingham, England. He was invited to participate in the international conference at the University of Chicago, September 17–22, 1951. He was to report on important discoveries which he had made in the field of the physics of light nuclei. He also had been awarded a research associateship at Cornell University for 1951–52. By September 6, 1951, no visa had been granted. He was unable to be present and make his contribution.

Prof. S. Devons

Prof. S. Devons is a member of the faculty of the Imperial College of Science and Technology, London.

On January 3, 1951, Professor Devon's name was presented to the State Department, along with 35 others, as a person under consideration by the University of Chicago for an invitation to attend its international conference September 17–22, 1951. No objection being received, the university sent him an invitation on March 9, 1951. On September 6, 1951, as he was to board his plane at London, he was finally informed that no visa could be granted.

Dr. Keith Ingold

The Institute for Nuclear Studies of the University of Chicago offers instructorships of 2 years tenure to qualified applicants all over the world. After careful consideration of all applicants, an instructorship in chemistry was awarded to Dr. Keith Ingold, of Oxford University, in March 1951. Dr. Ingold accepted, and applied for a visa. On September 28, 1951, he wrote as follows:

"I went through the formal procedure of applying for a visa and submitted health and other documents last April. I was granted an interview with the consul on June 18. At this stage I gave up my planned Arctic trip in order that the visa would suffer no delay by my not being on hand all the summer * * * There has been no answer from Washington. Two weeks ago the consul here telegraphed for a reply, but there has been none. In the meantime I have lost my booked passage. * * *"

Dr. Ingold finally despaired of ever obtaining his visa and resigned his appointment. We lost the services of a brilliant young man and the chance to establish another friend for the United States abroad.

Dr. Lew Kowarski

Dr. L. Kowarski is a prominent member of the staff of the Commissariat a L'Energie Atomique, Paris, France. His name, among 35 others, was submitted to the State Department on January 3, 1951, as a possible invite to an international conference sponsored by the University of Chicago September 17–22, 1951. No objection having been raised by the Government by March 9, 1951, an invitation was sent to him. He had also been invited by Johns Hopkins University to serve as visiting professor for the academic year 1951–52.

Dr. Kowarski is well known to Prof. S. K. Allison and H. C. Urey, of the Institute for Nuclear Studies of the University of Chicago, and we see no threat to the security of the United States in his presence here.

Dr. Kowarski has not as yet received a visa.

Gabriel Marcel

M. Marcel is a well-known French Catholic philosopher, whose political views are generally regarded as well to the right of center. Indeed he is well known as being strongly anti-Communist. He was invited in the summer of 1951 to deliver a series of lectures in South America, beginning about the 8th of July. The itinerary which he had arranged called for a stay of some hours in New York between planes, but he was not to spend more than 24 hours altogether on United States soil. M. Marcel applied for his visa on June 28, 1951. According to M. Marcel, he filled up various papers in the American consulate in Paris and handed them to an official who told him to come back in August. He says he protested that he had to leave by the 7th of July in order to keep his engagements in South America. He says that nothing was done to accommodate him and he was, therefore, obliged to change his passage arrangements and go by air directly to South America.

This case of M. Marcel is mentioned, with the realization that M. Marcel should have applied long before he did; nevertheless eminent men of this type, who should be very welcome for their work in the United States, have no means of knowing that no special arrangements can be made to facilitate their entry into this country. It seems most urgent in the critical state of world affairs, that the United States have as many allies as possible among foreign countries, and that the opinion in foreign countries which are allied to us be as favorable as possible to this country. News of episodes of this kind spreads widely, is often magnified far beyond what the facts themselves actually justify, and produces an impression that does a great deal of harm to the cause to which the United States is dedicated.

Prof. M. L. E. Oliphant

Professor Oliphant is the director of the Research School of Physical Sciences, the Australian National University, Canberra, A. C. T. The State Department was notified by the University of Chicago on January 3, 1951, that the university desired to invite Professor Oliphant to deliver a lecture at an international conference sponsored by the university, to be held on the campus September 17–22, 1951. This notification was for the purpose of avoiding visa trouble, and Professor Oliphant's name was included in a list of some 35 people submitted "for guidance" at the same time. No objections having been received from the Government by March 9, 1951, to Professor Oliphant or to any of the 35 names, an invitation was sent Professor Oliphant on that date, and he at once applied for a visa. I quote from a letter sent by him on October 2, 1951.

"I had hoped by this to be able to give you some information about the reasons why my visa did not come through. However, the position is that I have again today been assured by the United States Consul General that my visa has not been refused, but that there is some administrative delay.[1]

"The unfortunate thing for me was that the consulate made an appointment with me to collect the visa and then decided suddenly on our last day here that they could not do so. Consequently we were packed and had completed all formalities * * *. There was much telephoning and telegraphing * * * . Now it has become a political issue, raised by the Leader of the Opposition. If no news comes from the United States giving some ground for delay or refusal, I shall be forced to make a statement."

Professor Oliphant is an authority on the construction of high energy particle accelerators, and his lecture would have given us much useful information.

Messrs. Juan de Oyarzabal, M. S. Vallarta, Fernando E. Prieto C., and Marcus Moshinsky.

The above are members of the staff of the University of Mexico, Mexico City, D. F. Professor Vallarta is a world authority on cosmic radiation, and was invited to give a special lecture at the Houston meeting of the American Physical Society, at Rice Institute, Houston, Tex., November 30 and December 1, 1951. This delegation from Mexico City was coming as a response to a previous meeting of the American Physical Society held in Mexico City in June 1950. Two of the Mexican professors could not obtain visas for the 2-day visit to Rice Institute. The entire delegation absented itself in sympathy.

Prof. Rudolph Peierls

Professor Peierls holds the chair in mathematical physics at the University of Birmingham, England. His name, along with 35 others, was submitted to the State Department on January 3, 1951, as a person whom the University desired to invite to an international conference on September 17–22, 1951. No objection to Professor Peierls' name being received the university sent him an invitation on March 9, 1951. Professor Peierls never received a visa through the regular channels. Fortunately, he was able to attend because he was appointed by the British Government as its official delegate to the Committee on Classification of the Atomic Energy Commission. Thus he was able to attend using diplomatic channels for his visa, but the damage to the prestige of the United States had been done.

Prof. Michael Polanyi

Prof. Michael Polanyi is one of the most distinguished living scholars, especially by virtue of his achievements in combining major discoveries in chemistry with more recent contributions to economics social thought and philosophy. He held the distinguished White Visiting Professorship at the University of Chicago in the spring of 1950. He now holds the Gifford lectureship in Scottish universities, which is perhaps the most famous lectureship in the world outside the natural sciences. Mr. Polanyi was born in Hungary and was for some years prior to 1933 a member of the Kaiser Wilhelm Institute in Berlin. Since that time he has been professor at the University of Manchester, first as professor of chemistry and then as professor of social studies. He is now a British citizen. After Professor Polanyi's visit to the University of Chicago in 1950, he was invited to take a permanent chair in this university as part of the committee on social thought. He accepted this invitation in December 1950 and applied for a visa to the Liverpool American consulate in January 1951.

[1] Note that this was 9 months after the original notification, and 6 weeks after the conference was over.

Having no news of the progress of his application for a visa in June, Mr. Polanyi began to make inquiries at the American consulate in Liverpool. He was never able to get any information there concerning the progress of his application. As his appointment at the University of Chicago was to begin on October 1, 1951, the university began making inquiries of the Visa Division of the Department of State early in September. Representations were also made to Senators Benton and Douglas and to Secretary of State Acheson (in the case of Secretary Acheson through Chancellor Kimpton of the University of Chicago). All these gentlemen were told how important it might be for the good will of the English public that Professor Polanyi be enabled to take up his duties at the University of Chicago as arranged. It was pointed out that Professor Polanyi's recent trenchant criticism of communism and Communist thought in a series of papers and books which he has published during the past 10 years, had attracted wide attention, and that difficulties placed in the way of his entry into the United States would appear especially malapropos in view of Professor Polanyi's expressed desire to contribute to a positive philosophy on behalf of a free world.

In spite of these representations, and the work of the University of Chicago in Washington, the case is still unsettled, nearly 12 months after Professor Palyani made his application for a visa. In consequence of this Professor Polanyi has felt it necessary to return to his old post at the University of Manchester, although it is still hoped that he may be able to come to the United States as a visiting professor.

Jean Sarrailh, rector of the University of Paris

M. Sarrailh is a distinguished scholar in Spanish literature and civilization, and has held successively the posts of rector of the University of Grenoble, rector of the University of Montpellier, and rector of the University of Paris. The post he now holds is the highest administrative post in the French university system, and the University of Paris is, with the only possible exception of Oxford, the oldest and most famous university in the world.

The rector was invited in the summer of 1951 by the University of Mexico to come to Mexico on the occasion of the four-hundredth anniversary of the founding of the university. He was invited to receive an honorary degree and to give the principal speech in connection with a week of festivities, at which were to be assembled leading figures in education from all over the world. The events were to take place at the end of September, and the French Government had reserved passage for the rector on the *De Grasse* sailing September 11. He was to have crossed on the *De Grasse* to New York, to have spent the day in that city and then to have flown directly to Mexico, returning by the same route. In all he proposed to spend about 24 hours on United States soil. The French Foreign Office, which arranged the whole of the rector's itinerary, applied for his visa. On the evening prior to the departure of the *De Grasse*, which is to say, on September 10, the Foreign Office was informed that the rector's visa could not be granted, at least in time for him to make the *De Grasse*. As a result of various representations, the visa was obtained for the rector the following day, September 11, but not before the departure of the boat train for Le Havre. The Mexican Ambassador who had gone to the train to see the rector off was surprised to learn that he was not sailing. Fortunately the rector was persuaded to make use of his visa and to take the *Queen Mary* from Cherbourg, sailing September 14. As the *Queen Mary* is a much faster boat than the *De Grasse*, he was able to reach New York in ample time to get a plane to Mexico, where he took part in the festivities as planned, and then returned to France, also as planned.

The rector was very well received in New York by the immigration officials, and no overt harm was done through the incident. But had it not been for a set of fortunate circumstances, the rector might have been unable or unwilling to make the trip, after what he regarded as a major affront to his office. In that event the ill will which might have arisen among friends of the United States in France would have been very serious.

The CHAIRMAN. Is Prof. Cyril Smith here?

STATEMENT OF CYRIL STANLEY SMITH, PROFESSOR OF METALLURGY AND DIRECTOR OF THE INSTITUTE FOR THE STUDY OF METALS, UNIVERSITY OF CHICAGO

Professor SMITH. I am Cyril Stanley Smith, professor of metallurgy and director of the Institute for the Study of Metals, University of Chicago, 5725 Kenwood Avenue, Chicago.

I wish to discuss the same subject that Professor Allison spoke about. I would like to make it clear that I am talking as an individual and not in any way representing the university. I should also call attention to the fact that I am a naturalized citizen of the United States and not by birth.

Professor Allison has mentioned some personal experiences with the way that the scientific activities that he has tried to organize have been interfered with. My own experience does not include any of this kind. The visitors to the Institute for the Study of Metals and also a conference that I organized for the National Research Council which included eight visitors from abroad, I encountered no difficulty whatever from visas.

I do think, however, that the general principles involved are quite important and I feel very strongly indeed from various contacts with other people throughout the country that the intellectual life of this country is being seriously impaired by the difficulty of foreign contacts. It is extremely important in my mind to maintain security at AEC and various military organizations, but it makes no sense in my mind to maintain the same security requirements at the borders of the country that one applies at a secret installation. In fact, as Dr. Allison mentioned, the very fact that security is established at secret installations makes it unnecessary to use such extreme criteria for the admission into the country.

I made a trip to Europe in 1951, visiting England, France, Italy, and one or two other countries and found very frequently, among scientists and metallurgists and others, strong criticism of the United States on the basis that it is an extremely restrictive policy with regard to immigration, and it was placing the United States in pretty much the same categories as the U. S. S. R. I regard this as being terrible. The United States seems to act as if it is afraid of criticism. It seems to me that the recent action of England regarding the Red Dean of Canterbury, so-called, is a far better anti-Communist action than attempts at suppressing and being afraid to listen to Communists.

In the intellectual field generally it seems to me hard to underestimate the importance of international contacts. The United States is extremely strong intellectually. Yet technical advance does depend on scientific advance, and scientific ideas do not develop only in this country. They develop also in the minds of foreign scientists and I think that the stimulation that comes to American scientists from foreign contact is extremely important—an important thing.

Most of the individuals who have been excluded from the United States or have been unable to obtain visas have been people who at some stage in their life—usually when young—have had some contact with curious ideas. It seems to me that we should somehow develop a tolerance for the inquiring mind. Some people never have any ideas. People who have ideas generally will attempt to toy with all

kinds of ideas, most of which they will abandon very soon and most scientists, in fact I think most intellectuals, will pass through a period when they enjoy playing with the most impossible ideas, just for the fun of seeing what there is in it and it is only by toying with many ideas that one can eventually arrive at a reasonable point of view.

I regard it as very silly to produce a general atmosphere either in this country or elsewhere where a roving, inquiring individual, that is, mentally roving and inquiring, feels any restraint.

The scientific profession particularly includes people with all kinds of minds. There is relatively little professional uniformity—people of diverse ideas and the others wholly following the course that by toying with all ideas one can eventually find the truth. One should not reject an idea without looking at it. Specifically, it seems to me that one should exclude people from the United States where there is any reason to believe that they have harmful intent. There should, however, be some evidence required, and above all it seems to me there should be some form of review which permits even a noncitizen, even a foreigner, to have some chance to present his case and know what the evidence is against him, and to have it evaluated.

One last point which Professor Allison also made—that is, the classing of temporary visitors with immigrants from a visa standpoint strikes me as being particularly absurd. One should not require the extensive investigation for a brief visit to this country that is required for people who intend to live here indefinitely.

Thank you.

The CHAIRMAN. Thank you very much, Professor.

Mr. ROSENFIELD. Professor Smith, for the record, the work that you do and the work that Professor Allison does, are they distinct from the Argonne Laboratory?

Professor SMITH. They are completely distinct from the Argonne Laboratory. I am a consultant to Argonne Laboratory. But I am currently spending little time there, and almost all my work is completely unclassified.

Mr. ROSENFIELD. And, are the nuclear studies completely distinct?

Professor ALLISON. It is completely distinct.

Mr. ROSENFIELD. Thank you.

The CHAIRMAN. Is Mr. Ihrig here?

STATEMENT OF H. WILLIAM IHRIG, ATTORNEY AND FORMER PRESIDENT OF THE STEUBEN SOCIETY IN MILWAUKEE, WIS.

Mr. IHRIG. I am H. William Ihrig, 759 North Milwaukee Street, Milwaukee, Wis. I am a former president of the Steuben Society in Milwaukee, Wis. I am an attorney in general practice for about 25 years, and a large part of my legal activity relates to immigration problems. I am appearing in my individual capacity and want to discuss an aspect I believe your Commission might be interested in.

The CHAIRMAN. You may proceed.

Mr. IHRIG. I have no formal statement. I wanted to raise a question for the Commission's consideration. I assume that the Commission has read the details included in the President's veto of the immigration bill that was passed and has just come in power over the President's veto. I wanted to take the facts set forth by the President and consider them in relation to a suggested program.

Basically, I find the fact to be that there are hundreds of thousands of people who have to fear the new Immigration Act, and I find—people that are in the United States now—and I believe there are a few people who everyone would agree should receive special treatment under the new law on the subject of deportation, and on the question of their future admittance to the United States if they depart.

I am not directing myself to the matter of the Attorney General's recent matter of deportation where aliens have a criminal record, but that is a part of the subject I want to present to the Commission.

Basically speaking, my proposal is that this Commission of the President recommended to the President that he issue a proclamation of general amnesty granting unconditionally and without reservation to all and every person involved, a full pardon, and amnesty for offenses under the immigration and naturalization laws in effect prior to June 27, 1952.

The President has pointed out why he vetoed the new law and basically speaking there were two points; one was that the new law was retrogressive. It was creating a new procedure that was going to give increased penalties, in effect, those penalties included in the new law are the different penalties also for matters that were in effect before the effect of the new law.

As I see it from my practice of individual cases, the cases that we all would agree on that should be reserved from this part on. They are like a needle in a haystack, but I don't believe you can separate those cases, that you can agree on them from the hundreds of thousands of cases that might come under the new law. Well, some people might say that persons who entered with limited permits and who are overstaying their permitted period, I am not referring to that case alone. There are many people here in connection with displaced persons program whose records are deficient, and there is an area of our population which I believe totals hundreds of thousands which are going to become secondary aliens, not even primary aliens. They are going to be unable to shoulder their civic duties because of the necessity to disclose, and for the fear of disclosure and the punishment for this lack of proper entry, the lack of some technical violation of some former immigration laws.

The CHAIRMAN. What authority would the President have to issue a general amnesty of the kind you described, particularly where the offense, if you call it an offense, is not a criminal offense?

What authority would the President have to grant absolution in such matters?

Mr. IRRIG. I think the lawyers would differ as to the total or maximum effect of such a pardon and general amnesty, but there are a number of cases in the United States Supreme Court which grew out of his proclamation of the Civil War, freeing the slaves, and also giving absolution for all attorneys, for instance, who were in this Confederate part of the Union commission, permitting them to have rights after the Civil War terminated, that is, the general amnesty proclamation of Abraham Lincoln and the Court decision laid the legal basis for the proposed amnesty that I recommended and ask the Commission to recommend to the President.

Now, included in entering the country illegally and included in being in the country without full compliance with the technicalities,

there is a practical proposition of the statute of limitations. There is a practical proposition that when the Government has left these people unmolested for years, that there is an inference of their status. But here under this new act with new procedures reaching back prior to this law, new punishments are going to be imposed by virtue of new procedures. In other words, the new act is retrogressive in my opinion, lacking due process. Anyone who raises that in court can't start out with less than $1,000 and expenses involved. There is a practical proposition unless a man is relatively wealthy, that he can't obtain his constitutional rights under this new law. There is a broad area of population who can't shoulder their civic duties. They are fearful of registering for the draft. They are fearful of volunteering for the military service. They are fearful of paying taxes, and fearful of making reports, who have made reports on alien registration some years, and haven't made them all years. There is a multiplicity of actual technical violations of the law which under this new law can be a terrible club, under this law, and they tend to withdraw into themselves. There is a loss if it were to be stated in community betterment, the effects on their children going to school; it affects matters of making any records, and it does appear where Congress has seen fit to impose the stringency of a new act, that definitely it ought to apply to cases that arise after the new act, where the fact arises after the new act.

The CHAIRMAN. Did you present your recommendation to the congressional committee when it was considering this legislation?

Mr. IHRIG. I requested an opportunity to appear before the committee and when I saw which of the committee appeared I satisfied myself by contacting individual members of the committee and of Members of Congress in both Houses.

The CHAIRMAN. You made the point that you are making now?

Mr. IHRIG. Yes, I made the point.

I do believe that there is included in article II, section 2, of the United States Constitution, under the President's power—the President of the United States has this broad power which it would surprise you and the other members of the Commission to know how broadly it was interpreted over the years after the Civil War.

I appreciate that as many lawyers as there are among you, you could find varing opinions, but I have read the opinions that support the question and I would say that if the Commission were to propose a proclamation he could support it with adequate Supreme Court law.

I wanted to state further, referring to the President's veto message, that he indicated in his opinion that there was a field of foreign affairs within his jurisdiction which was being invaded by Congress. Now, it does appear that to the extent that the President set that legal point of a contrary conflict of initial constitutional authority between himself and Congress, that the President should be fair and honest and act upon his opinion of what that authority is in himself as to where immigration matters relate an impairment of his handling of foreign affairs. I think that is the approximation of his statement, of the conflict between himself and Congress, and it does appear that your statement is assuming that it is only the power of Congress to act on this. It does appear that the President has claimed to himself a part of this field.

I assumed that it had some bearing, for instance, the analogy that President Roosevelt indicated when the question was asked "was a minister abroad his agent or was it subject to congressional approval"; but it does seem to me that the more the Commission will think about this, that I don't think they could disagree as to the extent to which it should be recommended to the President. There are people we could state here individually. My question is in the matter of the masses, it is hard to pick out a few when the burden is on the many and the result is that there is a burden on the many.

The CHAIRMAN. Well, it occurs to me, as you make the suggestion, that if such a power does exist, and I am not ready to assume it does, it would be asking a President to undertake a tremendous responsibility if he were to claim general amnesty for violations of the immigration laws, without being able to know in advance just what was being excused, if he had the power to waive the effects of any such acts. Also, it would be nullifying an act of Congress, or part of it.

Mr. IHRIG. I thought it was fair to take that date of the new law going into effect to describe cases within and without the new law.

Or one might consider in coming to that conclusion whether a date somewhere back like 2 years or 3 or 4 or 5 years might then avoid any conflict between Congress and the President.

I had many subjects that could be of interest, but this was the only major one I wanted to take time up with.

The CHAIRMAN. Thank you very much.

Mr. Ihrig, if you have any other points you would like the Commission to consider, it would be well if you would file a memorandum with us in Washington as early as possible.

Mr. IHRIG. If I may, then, please.

The CHAIRMAN. Is Rev. James E. Doyle present?

STATEMENT OF REV. JAMES E. DOYLE, EXECUTIVE DIRECTOR, CATHOLIC RESETTLEMENT COMMITTEE, ARCHDIOCESE OF CHICAGO

Reverend DOYLE. I am Rev. James E. Doyle, executive director of the Catholic resettlement committee of the archdiocese of Chicago, which I represent here.

I have a prepared statement I would like to read.

The CHAIRMAN. You may proceed.

(There follows the statement read by Rev. James E. Doyle, executive director, Catholic resettlement committee, archdiocese of Chicago:)

Reverend DOYLE. In any analysis of immigration legislation and policies, we must of necessity consider the national origins formula embodied in the Immigration Act of 1924 and applied with greater rigidity in the McCarran-Walter Act passed by the last Congress over Presidential veto.

It would be erroneous to assume that the type of selectivity envisioned and enacted by the national origins program meet with unanimous approval by the people of this country. The Congressional Record will indicate that Members of both Houses of Congress voiced their disapproval as did both lay and religious leaders of our country.

I have with me excerpts from the statements of the general board of Catholic bishops, the administrative board of bishops of the National

Catholic Welfare Conference, as well as the Immigration Bureau and the Legal Department of NCWC. These statements cover a period of time from 1920 to the present. Time does not permit the reading of them, but I do ask that they be accepted as part of my statement and incorporated in the findings and records of this committee. These records will show that the general body of Catholic bishops have opposed publicly, unitedly, and continuously the national origins formula since it was first introduced.

The incorporation of the national origins formula in the McCarran-Walter Act continued a formula of selection that is unrealistic and erroneous.

It is unrealistic because at a time when the world is looking to us for leadership against the inroads of communism we are disaffecting the very people we are trying to win, by our undemocratic and un-Christian policies in immigration. We can no longer live in a vacuum. We must realize that our internal policies do affect other peoples of the world. In the 1920's we became virtually isolationists. We were not concerned with the attitudes of other peoples.

No longer can we assume the same attitudes because these people are our friends in a common struggle against communism. We knew that Soviet Russia and its satellites are constantly using our immigration legislation and administration in a way to stir up prejudices of the people against us.

It is erroneous because the mathematical formula used to determine the quota of each national group is based upon the number of people of that nation in our country as of 1920. It is quite evident that this is a slick device to give preference to the people of northern and western Europe against the peoples of southern and eastern Europe, and thereby perpetuating the error that these people are an inferior race.

We are concerned today about stabilizing the economies of other peoples so that they may be better prepared to resist the inroads of communism. Now we cannot separate our policies in immigration legislation without reckoning with its relation to the various countries about whose economies we are concerned. We must, therefore, be ready to join with other countries in dealing with peoples who are suffering hardships in their own country by reason of the lack of proper employment opportunities. We must join with other countries in continuing with the program to find a haven for persecutees and refugees. We must engage with other countries in planning for overpopulated areas.

I believe that many people throughout the country are beginning at last to understand the discriminations and prejudices involved in our recent immigration legislation. They are aware of the new principle of selectivity which means that 50 percent of all immigrants for the future must be brought into this country on the basis of specialized skills that are needed in American industry. This is a new form of immigration legislation which calls for the type of administration with which we have had little experience. Government in this country has never really selected skilled people for our industries. Industry makes its own selections. Labor organizations frequently select skilled persons for work at certain trades. We know that on the whole, countries do not export their skilled workers. Usually, the

countries having large numbers of skilled workers are highly industrial and hardly have a surplus. This is true today. The labor surplus of other countries are surpluses of unskilled laborers.

Most of the immigrants who have come to the United States through the years have been unskilled workers. They have been people with strong minds and bodies who have helped to develop the industrial greatness of the United States. They were the type of workers that America needed. Many of them developed skills needed in American industry after they came here.

In selecting the remaining 50 precnt of all immigrants for our country in the future, preference will be given to the families of skilled workers brought in at the same time and to the members of families and relatives of workers who are already here.

Our immigration policy in the future must be a flexible one. It must reckon with them conditions as we find them, conditions that threaten the people of the world. They must be such as can be used by the United States as an instrument of foreign policy. They must be so flexible as to permit our Government to accept a considerable number of workers from a country in which a crisis exists as a result of surplus population. Our immigration policy must be flexible enough to accept a fair share of refugees, expellees and hardship cases each year. The Congress might decide on the total number of immigrants to be admitted in a year but this over-all total selection of immigrants should be made on a selective basis in order to take care of refugees, expellees, displaced persons, hardship cases, and a certain number to relieve the strain in other countries and at the same time meet the needs of American industry.

We need to study very carefully our whole program for the administration of immigration legislation. Some plan should be devised for bringing together the work of an implemented consular service in the granting of visas and the work of the Bureau of Immigration and Naturalization in the admission of aliens into one division of Government which should deal with over-all policy in immigration and naturalization. Such an organization would, of course, have to be concerned about the security of the United States, but within the broad program of national security it should be able to extend a welcoming hand to a very considerable number of people for whom a place can be found in our economy each year. We should give the people of other countries an example of fairness, of kindness, and of consideration in our immigration legislation. This will be a real test of our attitudes toward other people. We are talking more and more each day of opening up the channels of communicating with other peoples and of bringing the leaders of other peoples to our country in order to study our institutions. The chances are that in the long run people will be more influenced by the treatment that their people receive in the United States than by anyhing else we may do for them.

Since any change in our basic immigration laws will be a long and tedious task, I am of the opinion that there is need of special legislation to meet the emergency of refugees, persecutees, expellees, and the people of overpopulated areas—their number and kind to be determined by our economic needs and their need and worth.

The passage of special legislation to bring some of these people to our country will not only solve many problems of human suffering but

will serve as an incentive to other nations who can receive them to do their share.

We cannot solve these problems alone. Only the joint effort of all the freedom-loving nations of the world can effect a permanent solution. We must provide the moral leadership by doing our share.

The CHAIRMAN. Thank you.

Reverend DOYLE. I should also like to submit for the record the statement of the bishops of the United States and of the NCWC with regard to restrictive legislation in the past.

The CHAIRMAN. It will be inserted in the record.

(The statement follows:)

STATEMENT OF THE CATHOLIC BISHOPS OF THE UNITED STATES AND OF THE NCWC WITH REGARD TO RESTRICTIVE LEGISLATION IN THE PAST

The minutes of the general meetings of the Catholic Bishops of the United States during the period in the 1920's when the national-origins formula which is now in effect was under discussion show that both the administrative committee, NCWC, and the general body of bishops deplored it and repeatedly and by every democratic means at their command attempted to express the wish of their people.

At that time Archbishop Hanna was chairman of the administrative committee and Bishop Gibbons, of Albany, was Episcopal chairman of the NCWC, department of laws and legislation, as it was then known. Their names and those of many other bishops—for example, Archbishop Hayes, Archbishop Glennen, Archbishop Curley, Archbishop Byrne, Bishop Howard, Bishop Gallagher, and Bishop Muldoon, to mention only a few—are recorded especially in the minutes of both the general meetings of the bishops and of the administrative board and elsewhere as vigorously opposing the discriminatory new immigration legislation.

The minutes of the general meeting in 1926 record the passage of a resolution offered by Archbishop Glennon whereby the general body of the bishops instructed the legal department to "endeavor to have a change made in such provisions of the law."

Under date of February 24, 1927, Bishop Gibbons wrote His Eminence Cardinal Hayes and all the bishops as follows:

"Special request was made at the last general meeting of the bishops that we take steps to plead for a change in the proposed new quotas in immigration founded upon what is known as national origins.

"I wish to report that this matter has been receiving our constant attention and follow-up.

"On February 2d the United States Senate passed a resolution postponing the establishment of the immigration quotas on the so-called national origins for the period of 1 year. This must yet be confirmed by the House, but there is reason to believe that it will be so confirmed.

"A delay of another year is given to us to present further arguments that the basis of the so-called national origins should never be accepted. It is probable that if the House concurs in the Senate resolution the House will also pass a resolution authorizing the Committee on Immigration to sit after the adjournment of Congress. We will, therefore, have to continue our interest and work in the matter."

In the minutes of the April 26, 1927, meeting of the administrative committee, NCWC, there appears the following:

"The subject of the national-orgins policy again received the attention of the committee."

In February 1924 Father John J. Burke, the general secretary of the NCWC, filed a formal protest against H. R. 101 with the House of Representatives' Committee on Immigration and Naturalization in the name of the NCWC. The document has such passages as the following:

"We protest against the principle and purpose underlying this bill which excludes immigrants from certain countries and favors admission of immigrants from other countries. Such a policy is a distinctive and deplorable departure from our enduring traditions as a nation."

The same brief was submitted to the Senate committee discussing the companion bill (S. 35).

The Congress disregarded the basic recommendations. Dr. Constantine Maguire, the eminent sociologist and economist, in his piece syndicated for the Catholic press by the NCWC (September 1924) outlines some of the reasons, still largely valid in the opinion of the NCWC. But the campaign of the NCWC went on ceaselessly over a long period as the documentation that follows attests.

Mr. Mohler, writing for the NCWC Bulletin (the official publication of the NCWC) in March 1924, said:

"The original restriction act of 1921 soon proved itself a cruel and inhumane instrument. * * * Let us not indulge in discriminatory measures which are unscientific in principle and direct affronts and insults to different peoples among us * * *"

Mr. William F. Montavon, then director of the legal department, appeared on April 2, 1926, before the House Immigration Committee, on behalf of the NCWC, to protest against the Holaday bill, and criticizing the growing "Spirit of hostility and of antagonism to the alien * * *"

Incidentally, the whole record of the NCWC legal department's interest and activities in this field is voluminous and can be examined in part in its annual reports (e. g. 1926, 1927, 1928, 1929, 1930, 1931, 1949). In 1927, it specifically asked Members of the Congress to liberalize the immigration laws so as to admit more immigrants, and repeatedly pleaded for the revision of inhumane policies and procedures.

On February 24, 1927, Mr. Mohler, on behalf of the NCWC, sent to every member of the House Committee on Immigration, a further protest against provisions of the iniquitous Immigration Act of 1924.

On March 29, 1928, Mr. Mohler again appeared personally before the same committee for the same purpose.

On the same date, the executive secretaries of NCCM (Mr. Charles Dolle) and of the NCCW (Miss Agnes Regan) personally told the House committee that the councils had gone on record in the same sense.

On the same day, a letter from the chairman of the administrative committee, NCWC, Archbishop Hanna, was introduced in the testimony before the House Committee on Immigration, pointing out grave situations created by the 1924 act and saying in part:

"The Bishops of the Catholic Church, meeting in Washington every year, have the same account to give—how their experience is more and more revealing a grave situation which cries out for relief.

"We wish once again * * * to ask, respectfully and earnestly, that this situation, so intimately connected with the social, moral, and religious life of our country, be relieved * * *"

President Hoover made repeal or suspension of the formula a campaign promise. Further on in this documentation is reproduced an article by Mr. Montavon in the May 1929, issue of the NCWC Bulletin, outlining the controversy of that year and analyzing the causes behind the failure of the Congress to abandon "the weird philosophy back of the national origins clause."

Again on February 1, 1932, the administrative committee, NCWC, went on record on the same general subject before the House committee, at which time Dr. Jerome Davis of Yale University, appearing before the same committee, named the Catholic Church first among the groups of churches favoring the amendment of the naturalization law.

In 1934, Mr. Thomas Mulholland, port director at New York for the NCWC bureau of immigration, appeared before a Department of Labor Committee studying the immigration problem and read into the record from an official statement of the administrative committee, NCWC, the following:

"The National Catholic Welfare Conference has waited with anxiety for some action by Congress which would effect a solution of the grave problem that has existed since the immigration restriction laws became effective—the forced separation of alien families."

On March 4, 1935, Miss Sarah Weadick, assistant to the director of the bureau of immigration, stated at a hearing on H. R. 6795 before the House Committee on Immigration that "changes in the immigration and deportation laws * * * have for many years been considered by the bureau as desirable and in the best interests of our country."

On March 2, 1936, Monsignor Ready, as general secretary of the NCWC, addressed the Senate Committee on Immigration at a public hearing saying in part:

"The National Catholic Welfare Conference, the organization of the Catholic bishops of the United States, endorses bill S. 2969 because it proposes certain

needed changes in our immigration laws. A member of our staff appeared at the hearing before the House Immigration Committee last April in favor of the companion bill endorsed by Mr. Kerr (H. R. 8163) * * *"

The Catholic Association for International Peace, an affiliate of the Social Action Department, NCWC, issued in 1934, with approval of the Episcopal chairman of the department, a member of the administrative board of the NCWC, a report of its committee on ethics and economic relations on the subject International Economic Life, in which it said:

"The policy of partial but pretty comprehensive exclusion carried out against other peoples is neither charitable nor necessary nor wise * * * Yet this problem cannot be settled on a world basis without joint world action. * * * Opening the floodgates of rights of entrance and of rights thereafter would not be a solution; it would not result in the good of all and each. Yet the densities of population in proportion to developed and used resources vary so widely that some sort of intergovernmental agreements on migration is needed."

The files of the press department are full of material, news and feature stories that leave no possible room for doubt that the position of the bishops and their organization with regard to restrictive immigration was unequivocal and widely known. That position was summarized by Fr. John Burke in a memorandum to Mr. Mohler (February 21, 1928) which said in part:

"In reference to the question of the attitude of the bishops of the United States, and particularly the administrative committee, on the national origins plan, with regard to immigration to the United States:

"This brief (filed on behalf of the NCWC), as you will see from a perusal of it, is decidedly against selective immigration, which is the same as the national origins. * * *

"That the administrative committee is definitely against the national origins plan in its present form is very evident from the letter of February 24, 1927, sent out by Bishop Gibbons to every ordinary in the United States. This letter specifically records that the general meeting of the bishops, of September 26, 1926, requested that the administrative committee take steps to effect a change in the new quotas in the immigration law founded upon what is known as national origins.

"From these items it is evident that the administrative committee is opposed to the present bill founded upon the national origins clause.

"The administrative committee is, therefore, definitely against the national origins clause as it now stands."

Meanwhile it should not be forgotten that the bishops had 30 years ago set up the bureau of immigration, with offices in Washington, New York, El Paso (and at one time, Philadelphia), which over those years has, directly or indirectly, cared for the problems of approximately a million immigrants to the United States, with a degree of efficiency not surpassed by any other agency in the United States.

Reverend Doyle. I also have an article I would like to have inserted in the record which appeared in the NCWC Bulletin for May 1929, written by William F. Montavon.

The Chairman. It will be received in the record.

(The article follows:)

IMMIGRATION—SHALL THE NATIONAL ORIGINS LAW BE ENFORCED?

In his first message to the Seventy-First Congress, President Hoover asks the legislators to suspend their deliberations on the pressing problems of agriculture and tariff protection long enough to conclude "certain matters of emergency legislation that were partially completed in the last session." Among this "emergency legislation" the President placed "the suspension of the national origins clause of the Immigration Act of 1924." The national origins clause was to become effective July 1, 1927. By act of Congress the effective date has been twice postponed. Nothing but congressional action can prevent its going into effect July 1, 1929.

Discussion in both Houses of Congress, the platforms of political parties, resolutions adopted by national associations including the United States Chamber of Commerce and other bodies of wide influence, editorial comment in the daily press, elaborate articles prepared by experts for the periodical press, the campaign speeches of President Hoover and his political supporters, all seem to

justify the belief that this national origins clause is one of the least popular of laws. It is by no means certain, however, that the Seventy-First Congress will concede the wish of President Hoover and enable him to make good an important campaign promise by further suspending or repealing the law.

The House of Representatives has gone on record as favoring the repeal of the national-origins clause; the Senate has stubbornly refused to concur. It is an interesting fight, not precisely between the two Houses of Congress, not even between the Committees on Immigration of the two Houses. It is a fight between individual members of those committees.

Legislative authorship of the Immigration Act of 1924 is claimed by Albert Johnson, chairman of the House Committee on Immigration. As passed by the House of Representatives, the Johnson bill was purely a measure for the further restriction of immigration. It was in the Senate that its nature was changed, and Senator Reed, of Pennsylvania, claims credit for the legislative authorship of the national-origins clause by which a new philosophy and a new purpose are injected into the Johnson bill.

Representative Johnson and his House Committee on Immigration have been always willing to restore the law to the pristine purity of an immigration restriction law which they hold it had when it originally left their hands. Senator Reed, backed by certain "patriotic" and other organized groups, is an influential member of the Senate Committee on Immigration. Senator Hiram Johnson, the chairman of that committee, is believed to be opposed to the national-origins clause; Senator Nye, a member of the committee, is the author of a bill suspending the national-origins clause. So influential, however, is Senator Reed that the Nye bill all but died in committee and at the last minute came before the closing session of the Seventieth Congress to be dealt a death blow by Senator Joseph T. Robinson, who deemed it unbecoming for the United States Senate to discuss and act on this momentous proposal on Sunday.

The controversy over this national-origins clause of the immigration act is more than a fight between two congressional committees for the credit of authorship. This controversy has to do with a problem the right solution of which is of supreme interest to the Nation. The action taken by Congress as a result of this controversy is bound to react on the life of the Nation for good or for ill.

A subsequent subdivision of the act places upon the Secretaries of State, Commerce, and Labor, jointly, the duty of distributing the inhabitants of continental United States into groups based on national origins. This was at once discovered to be no simple undertaking. The census reports covering the early decades of population growth in the United States supply no data on national origins of the aliens who inhabit the United States, much less of those who, having been such inhabitants for generations, have destroyed every trace of their national origins by intermarriage or have preserved no record of their ancestors, many of whom reached America fleeing the conditions of turmoil and unrest which accompanied the period of renaissance in Europe, a period when there was an unprecedented migration and intermingling of peoples. The problem which the committee of three was asked to solve is an impossible problem. As Secretary of Commerce, President Hoover had immediate control of the Bureau of the Census with its corps of statisticians and population experts. The committee had authority to employ other experts. An earnest effort over 3 years was made to solve the riddle of national origins. In his speech accepting the nomination as presidential candidate of the Republican Party, President Hoover summed up the results in the following statement:

"As a member of the commission whose duty it is to determine the quota basis under the national-origins law, I have found it impossible to do so accurately and without hardship."

That he holds the whole controversy to be little more than a tempest in a teapot, the perennial fight between tweedledum and tweedledee, is evident from the following words with which President Hoover concluded the above statement:

"The basis now in effect carries out the essential principles of the law, and I favor the repeal of that part of the act calling for a new basis of quotas."

The arrogance of those who oppose Mr. Hoover and insist that the national-origins clause be enforced is probably most clearly expressed in America, Nation or Confusion, by Edward R. Lewis.

"The old-stock American, in short," says Mr. Lewis, "saw himself being crowded out of the country which his ancestors had founded, which they had fought for in war after war, which as pioneers they had built up in the great middle and far West. * * * The main force back of the quota laws was not economic pressure, was not the outcry of American labor, but was a deep,

pervading, half-articulate instinct animating the old stock, that it must act to keep itself from being pushed to extinction. * * * It is not for the newer comers * * * to criticize the native stock for trying to prevent the practical extinction of its own blood."

The same author in another part of his treatise states with greater frankness and perhaps more accurately the true purpose of the national-origins clause. The law was "primarily intended to reduce numbers, and particularly numbers from Southern and Eastern Europe."

Certainly the Congress of the United States has the power and the authority to determine the number and the qualifications of immigrants that are to be admitted. If, by a majority vote, the Congress decided that none shall be admitted but the individuals born and reared under a democratic government by which the unalienable rights of men are respected in the same way and degree as they are in our country, there could be no question of its authority to enforce its will. If Congress, as it does in the act of 1924, decides that approximately 250,000 is to be the maximum population increase from immigration sources during any year, and even if Congress arbitrarily fixed the qualifications to be possessed by immigrants in such a manner as to exclude immigrants from Eastern and Southern Europe, no foreign government could effectively question the validity of its act except by referring to a treaty agreement.

International rights are not precisely stated in any commonly accepted code. Centuries of intercourse between nations, treaties of amity and commerce long respected, acts of conciliation based on the mutual recognition of fundamental principles of morality and justice, tradition, are the sources from which flow the rights of nations in their intercourse with one another. A well-founded tradition, a doctrine proclaimed by patriotic citizens, even by authorized spokesmen of the United States throughout a century and a half, fostered in those countries from which immigrants come, the belief that an upright man who would apply for admission among us would not be discriminated against on grounds of race or creed.

In enacting the national origins law the Congress of the United States repudiated the tradition thus established. It is not entirely correct to say that tradition had been repudiated by an earlier Congress which excluded by law all immigrants from China, nor by the so-called gentlemen's agreement with Japan. The American traditions of the open door had not been allowed to take deep root with regard to orientals as it had with regard to the white races of Europe.

The earlier legislation did, however, serve notice that American legislation affecting immigrants has its foundation in the basic doctrine that immigration and the acquisition of citizenshp are matters of purely domestc consent to be regulated by laws in the enactment of which consideration is given to no interest other than the general welfare of the American people.

The Johnson bill and section II (a) of the Immigration Act of 1924 seek to protect the national interest by restricting immigration. The author of the bill accepts the status quo of 1890 and allots immigration quotas on the basis of conditions revealed by the census of that year. In doing this, the author of the bill was probably motivated more by political considerations of a practical nature, than by any profound conviction. He sought to eliminate immigration from eastern and southern Europe by perpetuating a condition which was definitely known to have existed at a time when the Nation was at peace and prosperous. This plan has its defects. Immigration does not flow in a steady stream. The migration of peoples are the results of abnormal conditions, famine, political tyranny, serious industrial depression; these are the forces back of the great migrations. The open-door policy applied to immigration would expose us to the effects of political, social and economic distress over which we could have no control. The census of 1890 was selected not with any view to these facts, but arbitrarily because it was believed that in this manner immigration from eastern and southern Europe could be reduced without offending large blocs of American voters.

The authors of the national origins theory as a basis for immigration quotas are equally arbitrary. They seek to cloak their arbitrariness in fine robes of a philosophy. They proclaim the patriotic purpose of preserving the racial character of the American Nation. To this end they demand that immigration quotas be allotted to alien nationalities in the proportion in which those nationalities inhabited continental United States in 1920. Their purpose like that of those who advocate quotas based on the census of 1890 is to establish and perpetuate a status quo. As a theory it is not within attractiveness. As a practical administrative proposition it leads men like President Hoover, after years of debate and deliberation, to denounce it as not practical.

The statistical table which accompanies this article is evidence first that experts have found it impossible to reach any firm or precise estimate as to the quota numbers. These estimates vary enormously from year to year; in not one instance does the estimate made one year agree with that made the next. There is no assurance that other experts may not discover other data and change even further the estimate submitted. A comparison between the numbers admitted under the law as now enforced and the final figures of the experts shows in the second place that President Hoover was not altogether justified when, in his acceptance speech, he drew the attention of the voters to the fact that after all no essential or important practical difference will result from the adoption of one or the other of these bases.

The controversy is not, as Mr. Hoover seems to believe, as simple and superficial as the fight between Tweedledum and Tweedledee. The advocates of the national-origins law, as is revealed in the words I have quoted from Mr. Lewis, look upon the American Nation as made up of two opposing, irreconcilable factors—a legendary "old stock" and the "newcomers." They seek to establish and perpetuate a line of cleavage running back through our national life to Bunker Hill and beyond. For a century and a half our Nation has grown strong and has prospered in peace and in war under the motto "E Pluribus Unum." Applied to immigration and to the population growth of the Nation that motto visions a condition utterly unlike that of the "hundred percenters" who advocate the national-origins law. In that vision there is no line of cleavage, there is no snobbish division of the Nation into "old stock" and "newcomers." In that vision there stands a happy people united, homogeneous, patriotic, prosperous, all sharing the same responsibilities and enjoying the same rights. They are happy in the thought that others may be admitted to share with them the blessings and duties of citizenship. They have learned to be jealous of their treasure, they are willing to make sacrifices in its defense, above all they are not willing that any alien invasion wrest the treasure of national happiness out of their hands. The enforcement of the national-origins clause destroys that vision driving an artificial line of cleavage through the life of the Nation.

Postwar hysteria was a factor in the enactment of the Immigration Acts of 1921 and 1924. Hysteria is short-lived in a nation of practical men. It should not be the basis of permanent national policies. The Congress has the undisputed right and the duty to protect the national welfare by regulating immigration. Future Congresses will have that right and that duty. They can be trusted with its exercise. The exising law with quotas based on the 1890 census has been an effective protection. No practical reason is advanced for abandoning it now for the weird philosophy back of the national-origins clause.

The CHAIRMAN. Father, are you suggesting that two functions be combined that are now separate? That part which is handled by the State Department, and the work that is done in the Immigration Department—that they be combined into one agency?

Reverend DOYLE. Not necessarily one agency, but a distinctive agency that could handle the over-all problems. I might point this out, and I have had some experience: One of the difficulties we found out in respect to the displaced-persons program was that our consular offices did not have sufficient personnel. We found that our consular offices are almost autonomous in some respects. In other words, we come back to the old problem of Government where we have independent agencies—who is going to act as the liaison, because their problems intermingle, and there must be someone who can solve these problems, otherwise, we will find one agency working against the other. Not necessarily working against each other, but not giving each other mutual support.

The CHAIRMAN. What is your suggestion?

Reverend DOYLE. I would suggest closer liaison between the Bureau of Immigration and Naturalization and our consular offices. Now we think this could be better effected if there was some over-all committee, and the problems of both agencies, or all agencies involved in

this question of immigration, could sit down and work out many of their problems, because our experience has been in the displaced-persons program that because the different agencies had different policies, and there was no over-all policy, we found ourselves in difficulties and unable to do an efficient and an effective job.

The CHAIRMAN. When you say an "over-all committee," do you mean somebody that is authorized by law to make a final decision?

Reverend DOYLE. Right.

The CHAIRMAN. Then do you have in mind setting up by law another agency or one that had authority over both of these functions?

Reverend DOYLE. Yes; in general. Of course, I am against creating more departments and more agencies, but when it is indicated that such a creation would give us a more effective job in coordinating the whole program of immigration, I feel that it would be justified.

Commissioner GULLIXON. May I ask what has been the experience here in Chicago with relation to displaced persons already settled in the rural areas? Do they arrive in Chicago in considerable proportion?

Reverend DOYLE. I suppose the over-all figure is about 50 percent of the displaced persons that came to the rural areas. Now that would include not only farm opportunities, but small towns. About 50 percent of them stayed. I am talking about figures from our own local organization and from my own experience. About 50 percent of them stayed on the farms. To me, that is a good percentage. We must remember that the 1948 law gave a 30 percent priority to farmers.

Now the background of these people who are not primarily or currently farmers was not farming, and if they could pass a screening test on their knowledge of farming, these people felt: "This is an opportunity to get in earlier than the others, and I will try the farm." Now the fault lies partly on the DP; partly on the farmer. In my office when these people drift in off the farms we go to the trouble, in their own language—an interpreter takes down their complete story—of creating a case history on them. We take the facts from them, we contact the diocesan director, and we contact the farmer and ask him to prove these facts. Actually, we have proven, I have the records in my office to show it, that many of them were being exploited. I mean, let's not assume the problem was always with the DP—it was a question of some of our American farmers exploiting, and we can prove it on the basis of what the normal wage would be for a farm hand, and what the individual was paid, even taking into consideration the food, and the house, and so forth, and so on.

I would say on the basis of those facts—we give it 30 percent priority, and, secondly because of exploitation—that may be the reasons why they drift into the city. Let's be honest about it. If I landed in Holland and there was an American colony I would go to it until I overcame my initial psychological approval. It is their children who will intermingle and intermarry with the rest of our people, and, after all, that is Americanism.

Commissioner GULLIXSON. If all reference to national origins were to be eliminated, what suggestion would you have for dealing with the people of Indonesia and the orientals generally, where so many of the exceedingly difficult international problems, and so much of the misery are collected now?

Reverend DOYLE. Yes. I want to go on record as saying this: That I am not in favor of uncontrolled immigration into our country. It stands to reason that we can only absorb a certain number of these people, and I don't want to go on record as stating that irrespective of ourselves we should accept uncontrolled immigration. Why? Because in our effort to help these people we can't lower our standards, because then that would make us ineffective in regard to oriental peoples. I do feel, as far as orientals are concerned, I think their quota is very low. Now, remember, it isn't a question of the United States solving all the problems of the world in regard to population—we can't do it. Italy has an overpopulation of 2 million people. We are pouring dollars in there which is no solution unless you crack the basic economic problem, which is overemployment and underemployment. We do feel we must give moral leadership. We can't go to Canada and South America and the rest of these countries and say to them: "You take them and we will give you the dollars." Moral leadership is required.

I am of the opinion—although I didn't state it—I feel within the next 3 years we can take 100,000 of these people, over and above our national immigration quotas, and be able to absorb them.

Did I answer your question, Doctor? It is a difficult one. But, at the same time, we can't expect America to do a complete job itself.

The CHAIRMAN. In the statement you read, you stated that the national-origins formula in the McCarran-Walter Act contained a formula of selection that is "unrealistic" and "erroneous." What system would you recommend?

Reverend DOYLE. Of course, I don't know anyone who has that answer. All we can do is lay out a general principle that Congress will determine how many immigrants we are going to accept. My contention is this; and it is the only Christian stand you can take: irrespective of race, or creed, you have to determine who they are going to be. Congress will take care of the number. Perhaps we can have something to say about the kind, based upon their need and worth.

In other words, instead of categorizing all of the types of people I would permit to come under this immigration program, I just said those who are in need and basically who are they—they are the escapees, the DP's, the refugees.

Here is what has happened to us: We have families right here in Chicago where the mother came over with the children; the father was held back for some sort of a physical check-up; the visas have expired, and now we have disunited families, which is certainly undemocratic and un-Christian. Certainly, a relief should come to the people on the basis of needs.

There is no question that we say the National Origins Act gives us a vicious form of racism. As far as our democratic and humanitarian Christian principles are concerned, we can't make distinctions between peoples—they are people, and that is the basis on which we are going to deal with them.

Commissioner O'GRADY. Would you apply that not only to Europeans?

Reverend DOYLE. Yes; not only to Europeans. What I want to say is that we must do our share. I feel we can take more orientals in. How many? That depends upon our economic aid, and, as I stated before, we cannot control immigration because we will be defeating our own purposes. Certainly, I want to go on record as saying that as a Catholic priest and as a citizen of America we make no distinction between race and peoples. We handle them on their needs and their worth—I mean their human worth.

Commissioner FINUCANE. We have heard testimony to the effect that relieving some of the excess population through emigration would materially help overpopulated countries in Europe, whereas in countries with far greater overpopulation such as the Far East, Pakistan, and India, it would be relatively ineffective. Do you think that is a justifiable reason for applying the excess-population remedy to European countries and not to the Far East?

Reverend DOYLE. I would like to say this: I, at least, refuse to accept the responsibility for overpopulation throughout the entire world. As I indicated, this has to be a long-term program by the freedom-loving nations of the world. We cannot assume the responsibility all ourselves, but we can do our part, even to the point of bringing in some of these Indians, and at least do the pilot work, so that other nations can solve it. There is no question about it. There may be certain sections of the world overpopulated, but the world itself is not overpopulated. So it is a question of adjusting peoples to the underpopulated area. We even have an internal problem here of adjusting some of our own people from one section of the country to another. Well, if we can do it on a national basis, and we are making an attempt at it, that should be done internationally.

The CHAIRMAN. Thank you very much, Father.

Mr. Max Swiren, you are next on the schedule.

STATEMENT OF MAX SWIREN, REPRESENTING THE PRINCIPAL JEWISH ORGANIZATIONS OF CHICAGO

Mr. SWIREN. I am Max Swiren, 135 South La Salle Street, Chicago.

I am appearing, Mr. Chairman, on behalf of the principal Jewish organizations of Chicago. I think a reference to their names would indicate the scope of their activities and interests, and, hence, their concern with the problems that the Commission confronts:

Chicago Rabbinical Association
Chicago Rabbinical Council
Rabbinical Assembly
American Jewish Congress
Anti-Defamation League of B'nai B'rith
Hebrew Immigrant Aid Society
Jewish Labor Committee
Jewish War Veterans
Decalogue Society of Lawyers
Farband Labor Zionist Order
Federation of Jewish Trade Unions
Hadassah
Hapoel Hamizrachi
Hebrew Theological College

Labor Zionist Organization
Mizrachi
Mizrachi Women's Organization
National Council of Jewish Women
Pioneer Women
Union of American Hebrew Congregations
United Synagogue
Workmen's Circle
Zionist Organization

I have a prepared statement to submit in behalf of these organizations whom I represent here, and then I should like to make some remarks.

The CHAIRMAN. Your prepared statement will be inserted in the record and you may proceed with your remarks.

(There follows the prepared statement submitted by Mr. Max Swiren in behalf of the principal Jewish organizations of Chicago:)

This statement is presented on behalf of the principal Jewish organizations of Chicago, listed above, with membership aggregating in excess of 150,000 Chicagoans.

We commend President Truman for his humane and sensitive concern with naturalization and refugee problems. We acclaim the President's veto of the McCarran Act, cast as that law is in a mold foreign to the humane and democratic traditions of this Nation. We take hope from the establishment of this Presidential Commission and the caliber of its membership.

The problems that confront this Commission must be examined in the light of the monumental upheaval, social and political, that engulfs two-thirds or more of the globe. The world is witnessing a gigantic battle of ideas with consequences that touch the very existence of our civilization. We have the opportunity and, indeed the duty, to contribute strength, vision, and courage in that struggle. To make that contribution we must glorify, with every fiber of our daily life, the imperishable ideals of human freedom, individual liberty and brotherhood of man. No such lofty undertaking can have an intellectually honest and, hence, an effectively sound foundation, without full and hospitable recognition of the basic principles with which we here concern ourselves.

Chicago is a city of immigrants in a nation of immigrants. Our population includes a half million foreign-born and 2½ times that many native Americans of foreign parentage. The Jewish population totals 350,000, more than the population of any city in Israel. The population of our city includes more than 400,000 Poles, a quarter million Germans, 200,000 Italians, and about as many Scandinavians. We have foreign-born and first-generation Americans whose heritage reaches into every corner of the world. Cosmopolitan Chicago exemplifies the contribution of the immigrant in every sphere of life—economic, social, cultural, religious, political—contributions that are permanently engrafted upon the free institutions that we call America. We cannot, in good conscience or self-interest, nor, indeed under our constitutional standards, relegate the naturalized citizen to a secondary position, whose exercise of the freedoms guaranteed by the Constitution would jeopardize his precious citizenship.

The ideals that made us great and the experience of building a great free people move us to welcome to our shores the weary and the oppressed. We must do so with the vision and the confidence in the equality of man that moved our forefathers to welcome as many as a million immigrants a year. We must cast away false racist philosophies and have faith in our ideals. Immigrants should be received in a spirit of brotherhood that they may build lives of tranquillity and service, that they may enrich our farms and our factories, our arts and our sciences, our religious and our political institutions.

The McCarran Act is deliberately designed to stem the flow of immigration to a mere trickle by pyramiding restriction upon restriction and limitation upon limitation. The theoretical maximum of 154,000 immigrants is but one-tenth of 1 percent of our population, compared with totals of well over a million for many of the early years of the century and an annual average of 750,000 from 1900 to 1920. Without rational basis, the McCarran Act retains the national origin quotas as a transparent means of reducing immigration from east and south

Europe. That area, where the need is great, is assigned less than 20 percent of the quotas. By this infamous device an English immigrant is legislated to be 13 times as desirable as an Italian and 12 times as desirable as a Pole. We repudiate such comparisons and such quotas as unworthy and unwarranted.

Small as are the critical quotas, they are mortgaged to the extent of 50 percent until displaced persons admitted under special legislation of Congress shall have been fully charged off. Unused quotas in one area may not be transferred to another. Our experience with this device during the last 5 years has been to cut the maximum in half because only a small portion of the quotas assigned to countries in west or north Europe are being used. Another snare is the requirement that the place of birth rather than the domicile or citizenship of the immigrant determines the quota to which he is assigned. This means that hundreds of thousands of innocent persons transported across Europe by the Nazis must wait hopelessly for a quota number for the country of origin while thousands of such numbers are available and unused for the country of domicile.

How spurious is the ray of hope held out by the McCarran Act may be seen by reference to the Polish quota. About 138,000 Poles in Europe are seeking admission to this country. We are particularly concerned with that problem because, taking into account natives of foreign parentage, Chicago is the second largest Polish city in the world. Poland has a quota of 6,488, but even this figure is cut in half because the admission of displaced persons has mortgaged this quota into the next century. Contrast this with the quota of 65,361 for Great Britain and Northern Ireland, immigration from which during the last 5 years averaged little more than 20,000 a year. Even when a precious visa has been granted which cannot be used for health or financial reasons, it is not restored to the quota but is canceled.

Another restriction in the pyramid is the iron-clad preference of 50 percent of each quota to those the Attorney General may find to be needed in this country by reason of special education, technical skill, or experience. When there are added the priorities for relatives and other cut-off provisions, it is difficult indeed to see how any appreciable number of immigrants can actually squeeze through the McCarran traps.

Our national immigration policy must be predicated upon three fundamental principles:

First. Immigration is healthy for our culture and our economy. The introduction of new threads into our national fabric adds strength and resilience.

Second. The admission of immigrants must reflect a wholesome spirit of international good will, understanding, and cooperation consonant with our foreign policy.

Third. Immigrants admitted to our country must be permitted to rebuild their lives in an atmosphere of peace and tranquillity made secure by democratic principles and processes.

You have the right to ask what kind of legislative scheme can implement these fundamental principles. The answer as we see it lies along these lines:

1. Related to the need abroad and our tremendous absorptive capacity at home, these principles demand that the permissive total of immigrants be at least double the 154,000 provided in the McCarran Act. Indeed, it would not be unreasonable to set the outer limits at one-half of 1 percent of our population. The limitation should be flexible so that an unfilled quota of 1 year may be utilized in the following year, to the end that investigation under the security provisions of the act involving delays of as much as 6 months may not defeat the immigration objectives.

2. The selection of immigrants should be entrusted to a special board charged with formulating and carrying out a national immigration policy resting upon the fundamental principles above outlined. The urgency of the situation rather than any artificial regard for national origin should be of primary concern. The board should have flexible power to set percentages, within statutory limits, in the following categories for which priority would be accorded in granting immigration visas:

(*a*) Immigrants seeking to join their families in this country. The principle of reuniting families must apply with equal force to both citizen and alien residents.

(*b*) Persons seeking asylum. Refugees from racial, religious, or political persecution.

(*c*) Persons having special skills, training, and qualifications, and, in this connection, there should be at least as much interest in university professors and scientists as in sheepherders.

(*d*) Finally, room should be reserved for new-seed immigration. This does not involve relaxation of the stringent minimum qualifications for entry into the country.

Within the groups, we know no better basis for administration than first come, first served, subject to a reasonable discretion in the board to meet hardship cases. The purpose of leaving the percentage allocations to these various categories flexible is to enable the board to meet changing conditions and emergency conditions. It would obviate the need for special refugee legislation, particularly as related to specific problems and specific countries.

3. Immigration proceedings should conform to the requirements of the Administrative Procedures Act. The denial of a visa by an American consul should, upon application of an American citizen concerned with the matter, be subject to review by a board of appeals, and thereafter subject to judicial review. In every area of the immigration service there should be an opportunity for fair hearing, uniformity of treatment, and the right of judicial review.

4. Deportation should be a matter of judicial rather than administrative jurisdiction. The McCarran Act departs from basic constitutional requirements of fair play in entrusting unlimited authority to the Attorney General. Concerning appropriate standards in deportation proceedings, the Supreme Court had occasion to say:

"When the Constitution requires a hearing, it requires a fair one, one before a tribunal which meets at least currently prevailing standards of impartiality. A deportation hearing involves issues basic to human liberty and happiness and, in the present upheavals in lands to which aliens may be returned, perhaps to life itself. It might be difficult to justify as measuring up to constitutional standards of impartiality a hearing tribunal for deportation proceedings the like of which has been condemned by Congress as unfair even where less vital matters of property rights are at stake." *Wong Yang Sung* v. *McGrath* (339 U. S. 33, 50–1 (1949)).

On the substantive question of deportation, it has been proposed by responsible students of the problem that all deportation be eliminated as punishment of medieval character—that our criminal laws be relied upon to deal with infractions by alien and citizen alike. Certainly that proposal deserves serious consideration. In any event, conviction of a crime involving moral turpitude committed within 5 years after entry and carrying a substantial jail sentence is the only ground upon which deportation should be authorized. The threat of deportation ought never to be used as a means of thought control. If the alien is guilty of illegal subversive activities, let him be tried and convicted by legal process, and then there is time for the immigration authorities to step in.

In short, this Nation of immigration must treat the new immigrants as we ourselves would be treated.

In the realm of naturalization, as in immigration, we bespeak an attitude of understanding, encouragement, and hospitality, in contradistinction to the atmosphere of hostility in which the McCarran Act was conceived. In a united voice, all of the organizations for which I speak repudiate the McCarran concept of second-class citizenship for the naturalized immigrant. We insist that all citizens shall have the same burdens and responsibilities and enjoy the same rights and privileges. Naturalized citizens and native-born citizens alike must enjoy the constitutional freedoms without fear that an unpopular expression may jeopardize precious citizenship. The Nation in whose bloodstream flow the principals of the Declaration of Independence dares not offend the principle of equality. No more shameful challenge to that principle can be conceived than appears in the provisions of the McCarran Act for revocation of naturalization. Without limit of time, revocation is authorized by judicial proceeding upon a showing of either "willful misrepresentation" or "concealment of a material fact." Having in mind the atmosphere of hysteria that obtains in many quarters, it is easy to imagine that matters to which no one would have given a second thought 10 years ago may now be regarded as a "material fact." Where there is concealment and where there is simply an omission to inquire is left wide open. What an invitation to the "know-nothing" and the "Ku Klux Klan" mind!

Moreover, the citizen whose naturalization would be taken from him can be served by publication if he cannot readily be found in person. This is a procedural trick without parallel in the American judicial process.

The Criminal Code provides substantial penalties for persons guilty of contempt of Congress for declining to testify. Where such refusal concerns subversive activities, the McCarran Act imposes an additional penalty upon the nat-

uralized citizen by automatically depriving him of his citizenship and subjecting him to deportation if the act occurred within 10 years of naturalization. In utter disregard of the seriousness of denaturalization and banishment, of the life and death character of the determination, the act provides that membership in or affiliation with a subversive organization within 5 years after naturalization raises a prima facie presumption that the citizen was not well disposed to the good order and happiness of this country at the time of naturalization. A third area of discrimination against the naturalized citizen appears in the provisions for expatriation. How does all this square with the decisions of the Supreme Court?

By a divided Court and with considerable limitation, the Supreme Court sustained the right of denaturalization but held that in such proceedings that would deprive one of the precious right of citizenship, "the facts and the law should be considered as far as is reasonably possible in favor of the citizen." In explanation, the Court said:

"In its consequence [denaturalization] it is more serious than a taking of one's property, or the imposition of a fine or other penalty. For it is safe to assert that nowhere in the world today is the right of citizenship of greater worth to an individual than it is in this country." *Schneiderman* v. *United States* (320 U. S. 118, 122).

The late Mr. Justice Rutledge described the danger of free denaturalization proceedings in these words:

"No citizen with such a threat hanging over his head could be free. If he belonged to 'off-color' organizations or held too radical or, perhaps, too reactionary views, for some segment of the judicial palate, when his admission took place, he could not open his mouth without fear his words would be held against him. For whatever he might say or whatever any such organization might advocate could be hauled forth at any time to show 'continuity' of belief from the day of his admission, or 'concealment' at that time. Such a citizen would not be admitted to liberty. His best course would be silence or hypocrisy. This is not citizenship. Nor is it adjudication." *Schneiderman* v. *United States* (320 U. S. 118, 167).

As Mr. Justice Murphy put it, the naturalized citizen "is not required to imprison himself in an intellectual or spiritual strait-jacket; nor is he obliged to retain a static mental attitude." *Baumgartner* v. *United States*, (322 U. S. 665, 679).

The Supreme Court has held that to set aside naturalization, the Government has the burden of proving by "clear, unequivocal, and convincing evidence, which does not leave the issue in doubt, that the citizen who is sought to be restored to the status of an alien obtained his naturalization certificate illegally." *Knauer* v. *United States* (328 U. S. 654, 657–8).

The same constitutional standards established by the Supreme Court for the protection of naturalized citizens are scrapped by the McCarran Act. Under that law, presumptions of fraud are raised against the naturalized citizen from conduct long after the naturalization process has been completed and the burden is cast upon him, the individual citizen, to prove his innocence. This is an approach to human rights that an American cannot embrace.

The concept of second-class citizenship collides with the principle of equality before the law and should be rejected. Citizenship, whether acquired by naturalization or birth, should be irrevocable. The sole exception that can be tolerated by a free people is revocation of citizenship acquired through deliberate fraud—not the indefinite concealment of what may subsequently be deemed material. The required evidence must be of such probative force as to leave no doubt on the ultimate issue, and the procedure must be designed to assure to the naturalized citizen the full measure of protection in contesting with so powerful an adversary as his Government.

We approach the problems of immigration and naturalization with pride in the achievements and the contributions of our foreign born citizens. We have the telephone, the microphone and the phonograph disk thanks to foreigners Bell and Berliner. Our gigantic electric industry sprang from the genius of Steinmetz, Tesla, and Pupin. Our linotype machines were the brain child of Mergenthaler. For the inception of our iron business, we are indebted to immigrant David Thomas, and our cotton manufacturing to another immigrant, Samuel Slater. In the field of aviation, the names of Sikorsky, DeSeversky and Bellanca are known to every school child. The Texas oil fields awaited the arrival of a Swedish geologist, Udden, for their exploitation. And finally, in our atomic energy field, we owe much to the foreign born Einstein, Fermi, Bohr, and Meitner.

From the Jewish community of Chicago came such diverse but significant personalities as foreign born Sidney Hillman and Julius Rosenwald, son of an immigrant.

Among our latest refugees are such geniuses of literature as Maeterlinck, Thomas Mann, and Sigred Undset. The Hitlerist repression sent to our shores no less than 12 Nobel prize winners and hundreds of scientists, writers, and artists of the highest rank. Our own University of Illinois, University of Chicago, and Roosevelt College have been notable beneficiaries of such immigration. If we would know what is America, I ask you to read the day-by-day casualty lists. As these lines are penned, the latest casualty list of 21 includes such names as Zucaro, Soltys, Pecone, Berrin, Brodigan, Depeano, Ensslin, Dunkle, Hryhor, Koester.

Call the roll of the All-American football team and see how many of the names are reminiscent of south and east Europe. Walk onto the floor of the Carnegie-Illinois steel mills. Look around at the immigrants and sons of immigrants and you will see America as it is and the people that make it great.

In this great city, we appreciate the strength we derive from our melting-pot population. We have seen in my generation how the multitude of peoples gathered together from all parts of the globe can live and build together. We saw in World War I, in World War II, and in the Korean conflict now that when our country is attacked, all these people respond in one voice, and when the supreme sacrifice is made, it is without discrimination, without national origin quotas.

I wish the Senator from Nevada had been with me when I visited an American military cemetery in Lorraine shortly after the close of the war. He would have been interested in the names that I read on the crosses and the stars of David that lined aisle after aisle. He would then have understood what it means to say that the United States is a nation of immigrants.

Mr. SWIREN. Mr. Chairman, I should like to talk somewhat freely and discuss, if I may, these matters: First, the general conditions that we regard as pertinent in the formulation of an immigration and naturalization policy; and, secondly, the principles that must underlie that policy; and, thirdly, the specific program of legislation, which we think ought to be recommended by the Commission. In connection with the latter, of course, we must consider the existing legislation, its strength, and its weakness and the point of view which must be altered. I mention that outline because I noticed in my brief attendance at the hearings yesterday and today that the Commission is very properly concerned with an answer to the question: What do we do about the defects upon which so many people agree?

Let me say at the outset that it seems to me that in this world upheaval in which we find ourselves, in the battle of ideas, there is one approach upon which we cannot yield on any matter of national policy, and that is an adherence to the principles of human freedom, and individual liberty, and brotherhood of man, and in no area of our concern are those principles more significant than in naturalization.

Chicago is a city of immigrants. Some 40 percent of our population consists of foreign-born or first-generation Americans; 250,000 of our population are Jews; we have a quarter of a million Germans; 400,000 Poles—it is the largest Polish city in the world outside of Warsaw. We have had a demonstration in Chicago of what can happen when the American melting pot goes to work—not only in the factory, but in the cultural, the religious, the political institutions of America. We have demonstrated in this great city, it seems to me, beyond any question that the policy of making America the haven of the weary and oppressed is a sound policy, both nationally and internationally. We are convinced that in approaching immigration we must cast away false philosophies of race, or race preference, and

adhere strictly to the ideals upon which our system of government and society are predicated. In that connection, it seems pertinent to see just what we are doing now in the McCarran Act. That statute is deliberately designed to limit to a mere trickle immigration from outside this hemisphere. Theoretically, 154,000 may be admitted, but when you examine the layer upon layer of restrictions and limitations in that statutory pyramid you begin to see that it is utterly impossible for any flow of immigration actually to pass the traps and snares and spikes that are imbedded in the McCarran Act.

Of course, in the first place, there is the infamous national origins formula with which too many witnesses have already dealt before the Commission, and I shan't go into it in detail. Let me say, however, that the senior Senator from Illinois, Paul Douglas, made a monumental contribution in his scholarly formulation of that philosophy, the falsity of the prejudice upon which it was predicated, and the irresponsibility of the figures used in reaching the statistics.

We think it is contrary to the basic principles of our way of life to say, by legislation, that a British immigrant is 13 times as desirable as an Italian or 12 times as desirable as a Pole. We take the quotas then as we find them and go further. Fifty percent, as you know, are mortgaged in many areas to make up for people who have come in as displaced persons, or under other special legislation; unused quotas can't be transferred. Our experience has been that, actually, more than 50 percent of the quotas assigned to north and west Europe are not exercised. I think the average over the last 5 years for the United Kingdom has been 20,000 and the quotas exceed 65,000. Going further: The most minute device is not overlooked to restrict the quotas. If a number is assigned and cannot be used for health or financial reasons, it is canceled, it doesn't go back into the quota. Perhaps, I can demonstrate the lack of hope that can spring from that kind of legislation when I call attention to the fact that there are 138,000 Poles qualified, awaiting, asking for immigration to the United States. Their quota is about 6,400, and that's cut by the various devices down to about 2,000, slightly under 2,000. The mortgage on the quota runs until the year 2,000, so you see what opportunity there is actually to meet any material problem. Add to that, on the pyramid of restraints, the 50 percent provision with respect to skills, and special training—an iron-clad 50 percent, if you please—and then there are the priorities for relatives, and the cut-off provision that was referred to here yesterday, which entitles the Secretary of Labor, with little showing, if any, to determine that particular areas of immigration must be closed off.

It is with that statutory problem, and with the background that I have indicated, that we urge upon the Commission three fundamental principles upon which to predicate an immigration and naturalization policy. The first is that immigration is healthy for our culture and our economy. The introduction of new threads into our national fabric add strength and resilience. Second, the admission of immigrants must reflect a wholesome spirit of international good will and understanding consonant with our foreign policy. And, third, immigrants one admitted to the country must be permitted to rebuild their lives in an atmosphere of peace and tranquillity, secure in their position, and protected by fair judicious process.

How to implement these principles if, of course, the primary problem that confronts this Commission, and I would like to suggest five major items in that connection: First, with respect to over-all limitation of immigration from without this hemisphere, we urge that as a minimum the present maximum figure of 154,000 be doubled. We say that a reasonable figure that ought to be considered by the Commission is one-half of 1 percent of the total population. It is considerably less than the million and a quarter a year that we admitted early in this century. It is less than the 750,000 average admissions of the first 20 years of the century, and, I might say, in that connection that the timid souls who feel that we have passed the frontier days, and don't have a great absorptive capacity have little faith in our economy and our genius.

I took the trouble to see how far we have moved in the last decade. Since 1940 our production of goods and services, the gross national product, has increased almost 70 percent in consonant dollars at a time when our population had increased less than 13 percent. And, that, gentlemen, is before we reached the opportunities of the atomic age.

Now, the second problem, and the most troublesome one, is the selection of immigrants. How do we classify them, how do we scrap them, when we scrap the national origins formula as we must? We propose the establishment of a special board or commission that is entrusted with the formulation of the policy on the basis of the principles we have indicated. The board should have flexible power within statutory limits for each category to establish percentages from the granting of visas in these separate categories: First, immigrants seeking to join their families. We believe the principle of reuniting families must apply to citizens and noncitizens alike. Second, there should be a category for persons seeking asylum—refugees from racial, religious, or political persecution. Third, there should be a category for persons having special skills, training, and qualification. I think in this connection that we must assume that college professors and scientists are at least as necessary as the sheepherders with whom Senator McCarran was so concerned. And, finally, and equally important, we ought to reserve a category for new seeds, immigration of the character that originally built this country.

Within the groups, we know no better way of dealing fairly than on the principle of first come, first served, reserving only a limited portion to be used in the discretion of the supervising board to meet special situations. I might say that that formula would eliminate the necessity for emergency legislation. It would eliminate the necessity for special dealing with special problems in particular countries. We ought to allow quotas in the total of permissive immigration to be carried over from one year to another because today with the investigation required for security purposes as many as 6 months may be taken up in merely investigation delay.

Our third proposal, with respect to legislation, is that all immigration proceedings conform to the requirements of the Administrative Procedures Act. We think that the denial of a visa by a consul should be subject to a review by an appeals board within the Immigration Service—it ought to be a single agency—upon application of any American citizen concerned with the problem.

I point to that particularly because, Mr. Chairman, you asked the question, quite properly, of two or three witnesses: What kind of review do we have, and who may initiate it? It seems to me that in every area of the Immigration Service the principles of a fair hearing before an impartial tribunal, uniformity of treatment, and the right of judicious review should obtain.

The fourth problem is that of deportation. We urge upon the Commission a recommendation that all deportation proceedings be a matter of judicial rather than of administrative jurisdiction. It is hard to conceive a greater departure from the principles of fair play than those embodied in the McCarran Act.

Our statement quotes from a number of the decisions of the Supreme Court of the United States pointing up the life-and-death aspect of a deportation proceeding, the division of families, the consignment to almost certain death in many instances. More than that, we think that on the substantive question of when deportation may be permitted, important revisions ought to be undertaken. Responsible people have suggested, and I am not prepared to join them at this moment, that there ought to be an elimination, a ban of all deportation, upon the ground that banishment is punishment of a medieval character; that its criminal code ought to deal with its infractions by citizen and alien alike. But, in any event, we strongly urge that there be no deportation, save for conviction, within a limited period, for a crime involving moral turpitude, and involving substantial jail sentences. We think that deportation ought never be used as a means of thought control. If an immigrant is guilty of illegal subversive activities, let him be tried and convicted by our normal judicial process, and then the immigration authorities will have an opportunity to come in.

In short, so far as immigrants are concerned, we think that a nation of immigrants ought to treat them as we ourselves would be treated, and as our fathers or grandfathers were treated.

We come now to a very sensitive problem, and that is the problem of naturalization. The McCarran Act has established principles of second-class citizenship for the foreign-born who have been naturalized. We reject that approach to American citizenship. We insist that all citizens have the same burdens and responsibilities and enjoy the same rights and privileges.

I was very much interested in Professor Davies' study of refugee immigration, in which he pointed out that the refugees responded to the call for service in America in the same percentage as did native Americans, indeed, his estimate was 1 percent higher. We believe that native-born citizens and foreign-born alike should enjoy their freedoms without fear that an unpopular expression may jeopardize citizenship.

I would refer you to three particular aspects of this problem as they are revealed in the McCarran Act, and against the backdrop of which we can determine what is fair, and what is human in the treatment of naturalized citizens. The Criminal Code provides very substantial penalties, as you gentlemen know, for persons guilty of contempt of Congress in declining to answer questions. Where the refusal concerns subversive activities, and occurs within 10 years of naturalization, there is automatic deportation. Secondary, affiliation directly

or indirectly with an organization deemed subversive, within 5 years after naturalization, raises a prima facie presumption that the person was not disposed to the good order and happiness of the state at the time of naturalization. And, finally, there are special provisions for expatriation of the naturalized citizen. I might say that these principles of denaturalization collide squarely with the same constitutional standards that the Supreme Court has established. The Supreme Court has said, I think somewhat reluctantly, that denaturalization may be carried out. The late Mr. Justice Rutledge thought otherwise, and he has respectable authority in support of his position.

But even the majority of the court made it clear time and time again that the burden must be placed upon the Government; the individual citizen contesting with some powerful adversary must not be required to carry the burden; that there is a presumption, a priority, and that its evidence must be of such propriety force as to leave no doubt of the misconduct at the time of naturalization in order to accomplish the results.

Yet, our present law goes quite the other way establishing second-class citizenship. We think that the only ground upon which denaturalization should be authorized is deliberate fraud; not the indefinite concealment of a material fact that is provided now.

We have this anomalous situation: A naturalized citizen may have his citizenship attacked on the ground that he concealed—and I emphasize the word "concealed"—a material fact, particularly in this period where hysteria stalks many quarters. It is easy to understand that what is now regarded as highly material would have been deserving of not even a passing mention 10 years ago, and what is concealment is left open for the courts to decide, a vague and difficult phrase that presents an invitation to the antiforeign spirit. The citizen, or the immigrant who seeks citizenship, is questioned at considerable length. Inquiries into his life are made in the greatest detail; and, if the matter was not sufficiently important to be the subject of inquiry, we don't think it should be dug up 5, 10, 20 years later, when it would be difficult to obtain facts and find witnesses as a basis to rob him of his naturalization.

The CHAIRMAN. As I understand it, you have suggested a ceiling on immigration to the United States. What was your formula?

Mr. SWIREN. Our formula is a range between 300,000 and one-half of 1 percent of the population, which today would be about 760,000.

The CHAIRMAN. You have suggested, on the question of appeals, that there be an appeal within the Immigration Service, but how would that work in connection with the action by consul?

Mr. SWIREN. We have had the experience in Government, as you will recall, of having a single representative abroad responsible to more than one agency. We are doing it now with regard to foreign aid and the State Department.

The CHAIRMAN. Where would this appeals board be? Would it be in the United States?

Mr. SWIREN. In the United States, and available at the instance of an American citizen only.

The CHAIRMAN. Do you think any such scheme as that would work if you had requests for visas from 300,000 to 750,000 people? Have you made any estimate as to how many possible appeals there would be annually?

Mr. SWIREN. Yes, Mr. Chairman; there would be substantially less than in the customs appeals, where millions and millions of articles come in each year and are the subject of controversy.

The CHAIRMAN. Don't you think that everybody that would be denied a visa would want to appeal?

Mr. SWIREN. No; I don't think so. Our experience has been, Mr. Chairman, that responsible organizations have looked after the problem for the various groups, and they have acted with a great deal of understanding and responsibility.

Commissioner O'GRADY. In view of the statement made by a representative of the American Legion yesterday, to the effect that there is no labor shortage in Chicago and that immigrants are displacing American workers, may we have an expression of your views on the subject?

Mr. SWIREN. Let me divide the answer into two parts, if I may: In the first place, the best source of information on that problem seems to me to be our highly organized trade-unions. I think it is significant that the trade-union movement has changed its position very materially on the admission of immigrants and supports a broadening of the scope of immigration admissions—that belies the notion that American jobs would be endangered.

I might say that in our group, for which I speak, which is a federation of Jewish trade-unions in this area, and the Jewish Labor Union Committee in this area, we are conversant with the problem. I have some familiarity with the problem which Mr. Samuel Levin spoke about yesterday where an industry that has been served almost exclusively by immigrants—the tailoring industry—was finding itself short of help in the Chicago area year in and year out over the last 5 or 6 years because Americans were not willing to undertake the training necessary. Trade schools had been set up at tremendous expense by both the industry and the union, and they were unsuccessful in attracting the necessary people.

It seems to me that a casual expression by an individual who has not had to deal with the problem—whether he be a high official of the American Legion or any other organization—does not make a contribution to the problem. It seems to me that the broad-gage views of the American Federation of Labor and the CIO ought to be controlling or determining whether or not jobs are really being jeopardized. As a matter of fact, in the period since we pulled out of the depression I know of no year, not a single year, that has gone by without some shortage in the labor market in Chicago. I would suggest that you pick up at random one of our Sunday newspapers, and see the column after column of advertisements, and the openings that cannot be readily filled. I wish that you would talk to concerns, such as many that I represent, and find how difficult it is today to fill ordinary, unskilled, or semiskilled positions, to say nothing of the skilled. We are being held back tremendously in the construction industry of this area by a shortage of skilled help. I think it is a false bogyman to advance the notion that in the limits within which we are talking there can be any jeopardy to jobs or hopes.

The CHAIRMAN. Thank you very much. We are a little behind in our schedule. Thank you for coming and for presenting your statement.

(A supplemental statement is as follows:)

AMERICAN JEWISH CONGRESS,
Chicago, Ill., November 10, 1952.

Mr. HARRY ROSENFIELD,
Executive Director,
President's Commission on Immigration and Naturalization,
Washington, D. C.

DEAR MR. ROSENFIELD: On October 9, 1952, Mr. Max Swiren appeared before your Commission during its hearings and presented testimony on behalf of 23 bodies, representing a major section of the organized Jewish community of Chicago.

During the course of Mr. Swiren's verbal presentation, which supplemented the written document submitted through the Commission, Chairman Philip B. Perlman raised certain questions concerning one or more of the proposals.

I am submitting herewith 25 copies of a supplemental statement drafted by Mr. Swiren on behalf of the organizations represented in his initial presentation. This statement directs itself to the questions raised by Mr. Perlman. I would appreciate it very much if you would distribute this supplemental document to the members of the Commission.

Sincerely yours,

Rabbi SIDNEY J. JACOBS
(*For the participating organizations*).

SUPPLEMENTAL STATEMENT OF MAX SWIREN

This supplemental statement is directed to questions raised by the Chairman of the Commission during the presentation of our original statement on October 9, 1952.

We propose the establishment of a Board of Immigration Appeals to review decisions of immigration officers and denial of visas by any American consul. We urge judicial review in conformity with the Administrative Procedure Act, subject at every step to proper security precautions. The Chairman of the Commission raised questions as to the form and feasibility of such proposed procedure, to which matters this supplemental memorandum is directed.

In submitting the McCarran Act, the House Committee on the Judiciary pointedly refused to authorize review of consular action even by the Secretary of State. Each individual consul is thus endowed with arbitrary power affecting the very life of the prospective immigrant, influencing social and economic policies at home, and fashioning attitudes and impressions abroad. At the very time that we are exerting monumental efforts to combat Communist propaganda assaults upon democracy, we have contradicted those efforts by conferring unbridled power upon consular agents far removed from either supervision or American thinking.

Our national immigration policy can be neither consistent nor uniform with hundreds of American consuls acting independently in the interpretation and application of the statute. Disturbed by this problem, the American consuls have voluntarily deluged the State Department with requests for guidance in thousands of specific situations.

Unless our immigration procedures are to be a constant reproach to our professions of democratic faith, we must devise a system both uniform and rational in its operation. To that end, we propose the following procedure with respect to the granting of immigration visas:

1. Each American consul should be empowered to receive applications for visas, make the necessary inquiries, and grant or reject the applications. For the uniform guidance of American consuls, controlling regulations should be formulated by the Board of Immigration Appeals in conformity with statutory standards. Having in mind that the consul must represent the United States in a multitude of commercial and diplomatic matters far removed from immigration problems, we see no reason for denying him the guidance of an agency whose primary concern is the administration of our immigration program.

2. The Board of Immigration Appeals should be required to make a supervisory review of all consular action granting or denying immigration visas. Such blanket review would provide the raw material for keeping the regulations attuned to current problems and changing conditions; it would not be used to correct or alter individual decisions. To this end, each consul should forward to the Board the papers dealing with each application, together with a brief

statement of the reasons for the consular action. The experience of our courts and administrative agencies has demonstrated that a statement of the facts contro ling decision encourages mature and considered judgments, and provides as well a record for review.

3. The Board of Immigration Appeals would be empowered to review a consular denial of a visa only upon application of an American citizen who is either the sponsor or an immediate relative of the immigrant. The statement of reasons furnished by the consul, with such deletions as security considerations dictate, should be furnished to the appealing citizen. This could follow the precedent for the statement of charges provided in the Executive order establishing loyalty review. Administrative and judicial review could then follow, in conformity with the Administrative Procedure Act, subject in each instance to appropriate security precautions. For practical purposes, the administrative review would be final in genuine security situations, but judicial review could prevent a gross miscarriage of justice or a clear disregard of statutory provisions.

The use of a single centralized agency to review determinations made in almost every part of the globe is neither novel nor cumbersome. As a matter of regular routine, a reviewing body of the Department of Defense in Washington makes an examination, whether or not sought by the defendant, of every significant disciplinary proceeding in the Armed Forces to be certain that justice is fairly and uniformly administered. That experience illustrates the practical nature of the proposals for review of visa decisions above outlined.

Arbitrary power in any form and in any official is incompatible with the American philosophy of government. To see a clear and obvious transgression of the statute and be helpless to seek any correction is a frustrating experience in government that we, of all people, cannot tolerate. As a matter of fact, the very existence of the right of review would impose upon each American consul a restraint, a sense of responsibility, and a concern that will tend to accommodate his thinking to the purpose and philosophy of the governing statute.

At the risk of repetition, we want to make it abundantly clear that our proposals do not embrace and in no respect do we seek any relaxation of legitimate security requirements. Our purpose is to reach those cases which, by the thrust of arbitrary or uninformed consular decision, depart from the letter of the statute and the spirit of our foreign policy. Such decisions weaken the democratic tradition in this country and discredit our democratic leadership abroad.

The CHAIRMAN. Mr. Herman Bush?

STATEMENT OF HERMAN BUSH, REPRESENTING THE AMERICAN FEDERATION OF POLISH JEWS, CHICAGO DISTRICT

Mr. BUSH. I am Herman Bush, representing the American Federation of Polish Jews, Chicago District, 4447 North Kedzie Street, Chicago. Our organization contains a membership of 2,000 Jews of Polish ethnic ancestry. I would merely like to state that after hearing Mr. Swiren's excellent recommendations, we waive the invitation to testify formerly granted to us because of our complete accord and agreement with all that Mr. Swerin has stated.

The CHAIRMAN. Thank you very much.

Our next witness is Prof. Max Rheinstein.

STATEMENT OF MAX RHEINSTEIN, PROFESSOR OF LAW, UNIVERSITY OF CHICAGO, AND MEMBER OF BOARD OF DIRECTORS OF THE IMMIGRANT PROTECTIVE LEAGUE

Professor RHEINSTEIN. I am Max Rheinstein, professor of law, University of Chicago, 1418 East Fifty-seventh Street, Chicago.

I am not representing any organization. I am on the board of directors of the Immigrant Protective League, but I do not pretend to speak as their representative, although I have no reason to believe

that my opinions would in any way be contrary to those of our organization.

I would like to address myself to some problems which may look of a subordinate character, but which I observe to have considerable significance in our foreign relations; namely, the impressions which are made abroad by the administration of certain aspects of our immigration laws.

I have in recent years extensively traveled abroad. I have constant contacts with the people from abroad. I have come from abroad myself. I have come to this country as an immigrant.

Now I think there is one aspect which creates a tremendous amount of bitterness and astonishment in foreign countries, and what may be even worse, exposes to ridicule; and, third, the constant contradiction which appears in the administration of the immigration laws by our representatives abroad, and by our immigration officers in the port of entry. It would be very revealing for the Commission to look over foreign newspapers and see how every case is played up when an immigrant, or temporary immigrant, or a student, or a treaty trader, or visa has been issued to the person abroad by the consul, and then the person is held up at the port of entry and not allowed to enter, although he believes, and everybody else believes, he has been issued a valid entry paper. The situation is even less understood where the paper, apparently entitling a person to enter or reenter the United States, has been issued by the same agency, or at least one arm of the same agency which later on prevents the immigrant, or prevents the person concerned, from entering the United States. I am speaking of reentry permits. A reentry permit is issued by the Attorney General, under the jurisdiction of the Attorney General. It is very hard to understand, for people abroad, why anybody who has once resided in the United States, as an alien, who before he left the United States has applied for and obtained a permit of reentry—why he is stopped at the port of entry and may have to spend days or weeks and there have even been cases of years spent at Ellis Island. Those cases are simply not understood abroad.

I think in any revision which we undertake of the immigration laws, attention ought to be paid to devising a system which prevents the present split of authority, and the occurrence of diametrically opposed decisions by one arm of the United States Government, and another arm of the United States Government. Our reputation abroad, I repeat, has been seriously harmed by such cases.

There is another situation which also has been harmful to our reputation abroad.

Again, I am not speaking of the big over-all problem of general immigration policies, to which so many witnesses have addressed themselves so ably and competently. I am speaking of the very troublesome problem of temporary visas for visitors. The United States has attracted the interest and the curiosity of people all over the world. People want to see this country which has assumed or to which has fallen leadership of the free world. They want to come for study purposes, some want to come just for sightseeing purposes or for purposes of performing here as artists or contributing to our own activities of learning and scholarly endeavor and, time and time over again, it happens that temporary visitor's visas are refused for rea-

sons for which are either not revealed or for reasons which make our country look abroad as overly timid. I heard that this year in Europe time and over again, "Are you waiting for a revolution, are you in a revolution recession, are you ripe for a rebellion or something, that you are afraid of allowing a temporary visit by a man like the pianists or artists or scientists of high reputation, against whom nothing can be said except that sometime in the past they paid contributions to this or that organization?"

I wish only to invite the attention of the Commission to the impressions which these practices have created in foreign countries and to emphasize that these impressions are not quite irrelevant for our standing in the world and our foreign policies.

Now on a broader scale, I would like to say this: It has already been brought out this morning that the absorption of immigrants to the United States is one contribution which this country makes to alleviating population pressures and other difficulties in the world. Obviously, and that has also been stated before, the absorption of immigrants cannot and will not be the only way. There are two other great aspects of foreign policy of the United States which pursue the same end. One is the exportation of capital and the other is the importation of goods—quite particularly as expressed in our tariff policies. And we have so far been thinking of everyone of these three aspects and isolation of every other, and it would seem to me very essential for our rethinking of all these problems if we see them in their proper context and try to find a coordination of these three aspects. We have to choose between imported people, importing goods, and exporting capital and none of these three aspects should ever be treated in isolation and independent of the others.

Well, these are the problems to which I am grateful to have had an opportunity to address myself.

I would like to say one additional word as a lawyer. It may also look a bit petty and perhaps insignificant, and I don't think it is, and that refers to the technical defects. To put it more popularly, nobody can understand it at all. It is so complicated. There are sections in it which are 12 pages long.

May I invite your attention to section 202 which I think nobody can understand until he has read it 12 times. I have read it now 13 times and now I think I understand it. If and when a revision of this law is undertaken, I hope to goodness somebody will be called in as an expert in English. As it stands now, it is an abomination on the English language. It is even worse than the Code of Internal Revenue.

Having that off my chest, may I say one word on the quota system. I think the Commission is deeply interested in that. Well, I think I have to separate here my feelings, my personal feelings, and desires as a human being, on the one side, and my guesses and predictions as to what is feasible within the framework of actual American political life.

As a human being and individual, I would like to see equal opportunities for every single individual in the world to enjoy the benefits of life in the United States and the opportunity of becoming an American citizen, to enjoy the same privileges which I have had. I am not convinced, however, that in spite of the widespread circulation

of such desires at the present stage, the majority of the American people or those who make the laws for us are willing to adopt the principle of unrestricted and general immigration. We will in all probability have to stick to the principle of over-all limit, how large or small, I regard this to be outside of my field of competence.

Now, within the over-all number to be determined, how small an immigration be allocated, again, I feel myself compelled to say with great regret and great reluctance, but I am afraid the system of distinction of national origins cannot be entirely abandoned. I am thinking of the difference between European and non-European immigration, in which case European and non-European does not necessarily coincide with those limits as defined in geography textbooks. Perhaps in that sense the borders of Europe might have to be drawn in somewhat a different way.

But we have already in the country enough tensions, and those tensions might be increased if we had too much immigration of people who are of different origin and different aspects than those groups which have made up the United States, helped to make up the United States, which is European population. So I think that line of distinguishing between European and non-Europeans, regrettable as it is and contradictory as it is to predictions proclaimed as ways of American life, stands. I see no chance of having them removed. But within the European immigration I see no reason for maintaining a national quota system and distinguishing between let's say the British and/or Italian or German or the Scandinavian, so my suggestion would be very much in agreement with the representative of the Jewish organizations who spoke here just shortly before me, perhaps with one difference, but I find myself in great agreement with him in one respect. Let me first state the difference which I have with him. I think we should distinguish between European and non-European, but then within an over-all European quota we might have three or four catogories, first preference to spouses and close relatives of American citizens or other people who are already here; second, the asylum group, the people who are looking for political asylum or who belong to such categories of pressing need as presently represented by the German expellees or the refugees from the iron curtain countries.

The idea of political asylum, religious asylum, and helping people who have been uprooted by events beyond their individual power; that should be a preference within the over-all European quota and, thirdly, persons having such skills as are needed or are in short supply or particularly useful to the United States, whether that is the skill of the atomic scientists or the skill of the custom tailor or the optical worker; and then if places are left within the over-all European quota which probably will not be the case, then open the door to anybody who wants to come in.

Commissioner Gullixson. This came to mind under Professor Allison's presentation but perhaps the law department of the university would answer this question: Out of the experience in the barring of these distinguished scientists, would the problem seem to be inevitably inherent in the laws of the present and the future as they are, or in an administrative state of mind?

Mr. Rheinstein. In both. And the two intertwine very closely primarily in their overcomplicatedness, which makes it extremely diffi-

cult for the most skillful administrator or anyone else to handle it efficiently. As has been mentioned before, it has been numerous and so minute categories that the paper work to be done and the time to be consumed even in the most efficient administration of the present law is simply enormous and obviously tendencies which are inherent in all administration to be slow and clumsy, are infinitely increased by the overcomplicatedness of the law.

The CHAIRMAN. Thank you, Professor.

Is Rev. Philip Van Zandt here?

STATEMENT OF REV. PHILIP G. VAN ZANDT, PASTOR OF THE LOGAN SQUARE BAPTIST CHURCH OF CHICAGO

Reverend VAN ZANDT. I am Rev. Philip G. Van Zandt, pastor of the Logan Square Baptist Church of Chicago. I am also the representative on the Chicago Church World Service Committee for the Baptist denomination.

I was born in Chicago. My father was born in Chicago. I have no relatives in Europe that make me interested particularly in this question personally at all, but I circulate among the churches and in talking about this general problem, I get the reaction from the churches which are made up of all sorts of people. I find two or three things that I would call to your attention; the first is that these people do not feel that it is entirely fair that there should have been the technical distinction made between displaced persons and refugees and expellees, and escapees, but that there is room in America for people of the kind of character that would be made up of folks who have enough character and ambition and push to resist the totalitarianisms that they have had to escape from or were driven by into their present distressful positions in Europe, especially. They feel that there should be made some provision so that a good many more could be brought into this country and that they will make good citizens if they come.

So in general, they feel that we ought to ask for emergency legislation to allow at least 300,000 more into this country, maybe 100,000 a year or something of that kind; that these should include those displaced persons who had been all prepared to be brought to this country except that they did not happen to get their visas by December 31, last, and that it should include escapees from behind the iron curtain who have been properly qualified otherwise and that it should also include a good many of those who were expelled from the border countries before the close of the war, and that it ought to include members of families where same member of the family or more has already found refuge in this country.

They feel that this should be emergency legislation rather than any attempt to change the present law, even though we may not agree with all points in the present law, and we hope that it would be arranged so that the accidents of birthplace would not mean that the quotas from countries already mortgaged for many years ahead would be further mortgaged.

It seems to the folks, whom I talk to, quite silly to demand that the place in which a man was born—if that place happened politically to be under Russian or Polish or Austrian or Yugoslavian in 1920, that that should determine his opportunity, when his real character and

ability would be so much more valuable as a determining factor in the matter.

We have felt too, that any administration of such emergency legislation ought to be in the hands of the regular Immigration Service, and under nonsectarian Government auspices. We are not particularly concerned whether these folks that are brought over be of one religious denomination or another. We feel that it is contrary to our essential American way of life to demand that people shall ally themselves definitely with one group and that there should be any quotas on the basis for or of their religious affiliations at all. So we would much rather have it a nonsectarian arrangement and that private agencies, either the nationality groups or the religious groups should simply supplement the total service to these possible future American citizens and not take the responsibility either of selecting the ones to be brought or screening them or paying their transportation until at least they should arrive on the shores of this country. And that we can supplement but not try to administer in any way the entrance of such folks.

I speak, of course, not officially. I have not been delegated to speak officially for my denomination; but I represent what I have heard from thousands of folks in different churches, not only in Chicago but spread out over the country as I have traveled and talked to them about this particular problem.

Unless there is some question that is all I have to say.

Commissioner PICKETT. Do I understand that it is your view that the Commission should not concern itself with the new law, but simply concentrate its attention on the matter of emergency legislation?

Reverend VAN ZANDT. That is in general our feeling. We do have criticisms to make of the present law, but we don't feel that this is as relevant immediately as this emergency legislation would be.

The CHAIRMAN. However, in establishing this Commission the President instructed it to study and evaluate the immigration and naturalization policies of the United States, and not merely confine ourselves to emergency legislation.

Reverend VAN ZANDT. Well, if you want my opinion on the present law that we have, I would say that the greatest criticism is over the administration of the quota system in the fact that where quotas have not been used it has not been permitted to carry over to similar cases where there has been, as I suggested, the technical insistence upon the political standing of the country of their origin at the year 1920. We would much rather have the date advanced to 1950 or some other date which would bring the situation up to its present rather than its past balance in this country; and we would feel that although the quota system is not—we feel absolutely wrong that the quota system as it has been administered has been entirely too technically considered and that there are considerations of elemental justice that ought to have some leeway where they have not, to be given that leeway in administration.

The CHAIRMAN. Thank you very much.

Is Mrs. Rich here?

STATEMENT OF MRS. KENNETH F. RICH, DIRECTOR, IMMIGRANTS' PROTECTIVE LEAGUE

Mrs. RICH. I am Mrs. Kenneth F. Rich, director of the Immigrants' Protective League, 537 South Dearborn, Chicago. I am here to represent that organization.

Mr. Chairman, and members of the Commission, it is a pleasure to accept this invitation to appear before men of vision, good will, and experience in this field. I have a prepared statement which I would like to read.

The CHAIRMAN. You may proceed with your statement.

Mrs. RICH. I. The Immigrants' Protective League takes delight in this invitation to appear before this new Federal Commission on Immigration and Naturalization. We recognize in this body men of good will; men of experience, and wisdom in the special fields of immigration, naturalization, deportation; men of insight and vision as to the role which the United States must now learn to play as one in the family of nations—in policies which in the past this country has often blindly asserted were domestic policies only. Migration itself, with the spread of peoples across the earth—sometimes forced, sometimes voluntary—taking with them family groups, stretching human ties across two countries—migration itself is the intrinsic proof, that the policies which control and regulate it, can no longer remain provincial, must become international in this modern world. Our country has reached the moment when we know at last that the resentments of American policy by other countries resolved that racial discriminations removed, can become through this very channel under discussion here one immediate stepping stone to international understanding and peace. Unwelcome though it may be in certain quarters, this means critical self-examination by our own beloved country, and willing changes in both law and procedures. They are always in the rear of the actual situation. We must catch step with the facts as they are.

II. One moment for identification of the agency which we represent:

1. The Immigrants' Protective League is, this very week, 46 years old, incorporated under the laws of the State of Illinois, as a not-for-profit welfare organization dedicated to work with the immigrant and the alien in the community in his adjustment to American life.

2. Among its founders were Miss Jane Addams, Judge Julian Mack, Prof. Ernst Freund, Miss Julia Lathrop, Miss Edith Abbott, Miss Grace Abbott, Miss Sophonisba Breckinridge—the top names in social service.

3. It was cradled at Hull House, but it has always served this whole community—based on the fact that industrial Illinois and Chicago have always been a popular destination for the immigrant, realizing that under this last displaced persons legislation, Illinois ranks second only to New York State, and Chicago second only to New York City, in the numbers who have arrived. There are now, since 1948, 30,000 such newcomers here in Cook County.

4. The Immigrants' Protective League is nonsectarian, serves all races, peoples, creeds—100 peoples upon its list—more than 15,000 individual cases each year.

5. It is an independent private welfare agency with no public funds; a constituent of the American Federation of International Institutes chiefly supported by private individuals and the Community Fund of Chicago, properly endorsed by all endorsing bodies.

III. Points for change in laws and procedure:

1. In immigration and deportation: The outlook of the Immigrants Protective League on Immigration laws and procedures is based on the belief that the members of a family should have the right and opportunity to be together, somewhere on the face of the earth—meaning husbands, wives, parents, children. Barriers to the reunion of the pieces of a family through migration are injurious not merely to the family, but the the American community, in particular to this American community, whether those barriers be those of required citizenship for nonquota status; those of age of the petitioner, those of date of marriage for sponsors. The league wishes to congratulate the authors of the new act which goes into effect on December 24, 1952, in having at last wiped out the latter discrimination against husbands.

Ever since the passage of that first Three Percentum Act of 1921, the league has been an eye witness to the social ills in the community arising out of the terms of the law in perpetuating the separation of families. No sane person can argue that the results of that separation, in bigamy, adultery, international disertion, illegitimacy are healthy or safe for Chicago or any other American community. The prevention is through facilitating both legislatively and administratively, not blocking the reunion of these separated families. A comprehensive legal brief can be written on this one point alone.

And the argument is equally true for separation of families through expulsion from this country. Deportability of the breadwinner is open to the gravest criticism. There are very few circumstances which warrant on the part of our Government the wreckage of family life through expulsion of heads of families. Perhaps the only one indeed is of the subversive, and then only the real—not the imaginary—subversive.

One never forgets the picture of the Norwegian seaman forced to leave by Secretary of Labor Doak—so hardened to human appeal—with milk dropping out of his sailor's pockets from his baby's bottles, for whose birth he had waited, with his American-born wife, and thereby failed to "reship foreign" within the days allotted by the Federal regulations. It is vital that the limited discretionary authority in deportation, secured with such difficulty under the Smith Act, be broadened, in order to protect from deportation and to preserve family life in the American community. Probably nobody of American law so needs elasticity, but is more rigid, than that governing the admission, exclusion, and expulsion of aliens, regardless of their family ties.

(1) National origins; (2) pooling of quotas; (3) mortgaging under displaced-person legislation: One immediate legislative step can be taken in behalf of separated families by the pooling of unused quotas within the total permitted at present. Some quotas are unused; some are oversubscribed. Quotas are not fixed according to need, but according to the most unrealistic and highly inaccurate national-origin plan in itself for its census base marking back to 1920, more than a

quarter of a century ago. The population of the United States is not made up as it was in 1920. It is a completely unjust census base for modern purposes. Even had it been attempted then it would be impossible for the best demographer to count the great- great- great-great-grandchildren of America's original immigrants, and thereby to determine equitable immigration quotas. The archaic national-origin plan should go, relegated to the old-fashioned horse-and-buggy days of American history. Quotas should be based on the current census and revised every 10 years when it is taken.

And in the third place the unwholesome situation of separated families will be perpetuated, unless the lost quota places are restored which have been mortgaged under the Displaced Persons Act. It is salutary to new legislation to keep pointing out the current quota picture for those nationals who have suffered most at the hands of dictators. For the brave Baltic peoples, who have lost their countries as well as their homes, with their tiny national-origin quotas (Estonia, 115; Latvia, 235; Lithuania, 384), places on the waiting lists are mortgaged into the future years as follows:

Country:	*Year*
Estonia	2146
Latvia	2274
Lithuania	2090

For certain other refuges, some from iron-curtain countries, the mortgaging of annual quotas is as follows:

Country:	*Year*
Poland	2000
Greece	2013
Rumania	2019
Yugoslavia	2114

Although the attempt was made to keep families together under the displaced-person legislation, there were delays and separations because of legal deadlines, so that some members were left behind. Some were left, indeed, in the very "pipelines." This country will best keep the faith in this situation if two legislative steps are taken.

Authorization of displaced persons' visas estimated at 7,500 for qualified persons caught midway upon the expiration date.

Validation of quota numbers for those nationals whose quotas are thereby mortgaged into the future. Otherwise, displaced-person legislation becomes a hollow sham, justifiably so regarded by the homeless people in other countries, actually a cruel type of restriction, instead of the humanitarian measure which the United States has advertised it to be.

2. Unjust deportation provisions: Two points in deportation provisions which the new act has not corrected are the injustic of—

(*a*) Burden of proof is on the alien to show that he may not be what the Government alleges. In the new act this provision appears in chapter 9, "Miscellaneous" (sec. 291), and has been broadened to include more than deportation situations. In a punitive proceeding like expulsion, it is contrary, comparatively speaking, even under the Criminal Code of the United States to presume a man guilty until proved innocent. Quite the contrary. It is believed that the burden of proof on the accused should be stricken out of this law.

(*b*) The other cruel injustice is deportability at any time after entry for various categories (ch. 5, sec. 241). Again, for the worst of crimes

there are statutes of limitation under American law. It is believed that they should be included in this act especially; otherwise, the family may be in danger of break-up during all of their lives on this earth.

3. In naturalization and citizenship: (1) The Immigrants' Protective League assists thousands of aliens each year in making their applications for United States citizenship. The agency has always taken the position that too high a literacy test for naturalization, as in the new act, delays and defeats the objectives of assimilation. Chicago is proud of its adult-education director and department in the Chicago public schools. But public appropriations have not kept pace with adult education in needs of any of the cities, unless it be Boston. Literacy tests are not tests of personal character, merely tests of the educational advantages which the applicant may have enjoyed. It requires that the applicant must be able to "read, write, and speak English." This section does not prescribe a "reasonable test of his literacy shall be made." Because the tests as to English and civics have historically often been highly unreasonable and erudite in the past, it is believed that the most careful kind of administrative rule should be drawn up upon this point for the guidance of the United States naturalization examiners.

(2) Declarations of intentions—Value to newcomers: There is one aspect of naturalization long debated before its section in the new act was written, which is of great importance to the newcomer; namely, the right to secure a declaration of intention. The new Immigration and Nationality Act makes the step (sec. 334 (f)) permissive, not obligatory as heretofore and at present.

For old-timers, this change is all to be desired. Their long residence in the United States is in itself a declaration that they expect to make this country their home.

For the newcomer, however, such is not the case. For him, the declaration of intention serves many immediately useful purposes:

(1) It is a "morale builder," they tell us. Many have longed for years to "join the United States." To arrive at last in a safe country, the democracy upon which their hopes have been based through long years of waiting, gives them the eager wish to hold, at once, some kind of document of recognition.

(2) For the stranger, it is a significant measure of protection. The handsome young Greek boy for instance, a new legally resident alien, is stopped by police as he walks along a Chicago street with the demand that he prove forthwith his legal entry. He comes to the Immigrants' Protective League to apply for a declaration of intention. To be sure, his alien registration card, had it been promptly forwarded by the American consul in Athens, would have helped in the same way. But both the Departments of State and Justice are now far in arrears in their issuance. It is urgent at once that this "bottleneck" be released by appropriate administrative directives and provisions. It is curious that the new act specifies in contradictory fashion (sec. 334 (f)) that a declaration of intention shall not "be regarded as evidence of such alien's lawful admission for permanent residence." The very same section, however, prescribed as one of the qualifications for a declarant is that he "is residing in the United States pursuant to a lawful admission for permanent residence." And the petitioner in a

previous section (sec. 334 (b)) is now required to make "an averment of lawful admission for permanent residence." The new law quibbles on this point. It is believed that declarations will not be issued unless there is good cause to indicate that the alien is legally in the United States. The declaration thereby becomes a personal protection in many frequent contacts of the newcomer.

(3) But the declaration is even more important in industrial relationships. Many employers now require it, especially if they are handling military contracts.

(4) And of great importance in occupations and practice of professions, in which many newcomers are highly trained and skilled, the declaration is indeed often required by the various laws of the 48 States. In Illinois, for instance, the declaration of intention is required for the practice of more than 19 of its licensed occupations. If the Government fails to facilitate the issuance of the declarations of intention, it will thereby contribute toward unemployment, or at least underemployment and loss of livelihood.

That the Government is already doing that very thing, before the new act goes into effect, is evident from what appears to be ill-advised directions from the United States Department of Justice. This President's Commission will wish to take testimony of this procedural point in these hearings in all of the cities. In the Chicago District of the United States Immigration and Naturalization Service, for instance, declarations are already discouraged, the distribution of applications for them curtailed and blanks even withheld, unless the applicant or an agency insists. It is believed that this policy is inconsistent with the public welfare. This Federal regulation, if it be one, should be revised at once, and the doors to declarations opened wide, under the permissive terms of the new act.

STATE OF ILLINOIS—STATUS COVERING QUALIFICATIONS FOR OCCUPATIONS LICENSED BY THE ILLINOIS STATE DEPARTMENT OF REGISTRATION AND EDUCATION

(Information from Mrs. Butel, Chicago office, Illinois State department of registration and education)

Architects
Barbers
Beauticians and cosmeticians
Chiropractors
Doctors
Detectives, patrolmen, and private investigators
Funeral directors
Embalmers
Land surveyors
Medical: Medical doctors, osteopaths, chiropractors, and physiotherapists
Nurses: practical, professional, and public-health
Optometrists
Pharmacists
Plumbers
Professional engineers
Real-estate brokers and salesmen
Structural engineers
Veterinarians
Horseshoers

IV. *Summary of points for change:* To summarize, upon the basis of daily experience it is strongly felt that—

1. Now quota immigration status must be accorded to parents as well as to spouses and children, and regardless of age or citizenship of the petitioner.

2. There should be saving clauses as to deportability, so that husbands, wives, parents, and children may be kept together.

3. Strike out of the deportation law, at long last, the interminable "at any time" after entry.

4. Strike out of the deportation law the "burden of proof" injustice.

5. Validate quota numbers lost through the mortgaging of future quotas under displaced-person legislation, and visas for those caught midway in the processing before its expiration.

6. Pool unused quotas within the total, for use by nationals whose quotas are exhausted.

7. Abolish inaccurate national-origins plan for estimating immigration quotas.

8. Remove the rigid 1920 year and bring up to date the census basis for estimating quotas.

9. Establish rules for the naturalization examination which will safeguard against undue insistence upon complete command of the English language.

10. Issue regulations which will facilitate the filling and granting of declarations of intention.

The CHAIRMAN. Thank you very much, Mrs. Rich.

Is Mr. Sharon Hatch here?

STATEMENT OF SHARON L. HATCH, EXECUTIVE SECRETARY, INTERNATIONAL INSTITUTE OF MILWAUKEE COUNTY, INC.

Mr. HATCH. I am Mr. Sharon L. Hatch, executive secretary, International Institute of Milwaukee County, Inc., 125 East Wells Street, Milwaukee, Wis. I am here to represent that organization. It is a private agency supported by the Community Chest, an organization which was incorporated under the State laws of Wisconsin since 1936, devoting itself to work to aid and assist the foreign-born.

I have a prepared statement I should like to read.

The CHAIRMAN. You may do so.

Mr. HATCH. Appreciation and thanks are expressed to the Commission for the privilege of appearing before you today in my behalf and the organization I represent. My primary interest today is to convey to you some observations personally acquired from experiences gained in the service in Europe during World War II and since my return from service in 1949 as executive secretary of the International Institute of Milwaukee County, and a member of the Wisconsin State Committee for Resettlement of Displaced Persons. I desire to present some material relative to section 2 (c) of the Executive order pertaining to the problems and implications of overpopulation of parts of western Europe and serious refugee and escapee problems in these areas.

These problems have been a matter of my attention for some time. As a major in the United States Army and a United States military government adviser in Germany, it was my official responsibility to

observe, advise, and assist in those areas of military government affairs dealing with the public welfare of displaced persons, refugees, and expellee matters. Experience on a first-handed, on-the-spot basis with these problems has given me a firm conviction as to their grave importance. In the early phases of occupation in Germany in 1945, 1946, and 1947, the organized transports of expelled ethnic Germans flowed into the western zones (British and United States) of Germany at a very rapid rate. For example, the area of Land Hesse of the United States zone of occupied Germany experienced approximately a 20-percent increase in its population within a period of about 1 year. The pressures of this sudden increase in population overloaded the living and community facilities of an already depressed economy. Housing space, schools, welfare facilities, transportation, food distribution, health services, and so forth, were confronted with overwhelming demands. It posed a real threat to the weak governmental structure of the western zones of Germany. Tension areas developed between the rival groups bidding for the necessities of life. This heritage of complex mass problems of an unprecedented magnitude created social unrest. Ramifications of this problem revealed themselves in the form of political action of extremist tendencies. That overpopulation was a long-range problem of extreme complexity; an issue whose influence was cutting across practically all channels of effort to rehabilitate and stabilize the political, economic, social, and moral fiber of Germany, became clear and definite.

I returned to the United States in early September 1949 after 68 months of service, the greater majority of this period of service being in the area of displaced persons and refugee affairs. And now some 3 years since leaving Europe the long-range problems of effective resettlement of these refugees continues to persist in even greater proportions as to their significance than in the earlier months of the occupation of Germany and Austria.

Realizing that this Commission has available from numerous studies, full and complete statistics, I will omit a discussion of the statistical aspects of the problem and devote the remaining time to discussion of other phases of this problem's importance.

If our foreign policy aims as one of its objectives to aid in achievement of an enduring stabilization of the economies of Western Europe, which definitely in my opinion is a fundamental prerequisite to the establishment of a lasting peace, we, in the United States of America, as partners with other friendly governments should be vitally concerned with the continued effort to meet these problems and issues arising from overpopulation in those areas of Western Europe where this problem exists in critical proportions.

Efforts up to date have partially alleviated the situation. Our Government has contributed much to assist in the solution and has contributed generously in finances and through personnel by means of agencies as UNRRA, IRO, and the United States Displaced Persons Commission. The work of the voluntary agencies has been a very effective means of supplementing and assisting in this mass resettlement work. But, gentlemen, where are we now as of today? August 31, 1952, concluded the work of the United States Displaced Persons Commission. This date saw the termination of this assistance. Nevertheless, much work remained to be finished. Existing legislation

leaves us "bare" with no adequate means to continue, as a leading world power, to offer leadership, hope, and a demonstrated determination to meet our share of responsibility as a receiving country for the thousands of oppressed, disheartened, and dispossessed in western Europe. We cannot afford to ignore the long-range implications and their significance in this problem of overpopulation. An overly restrictive policy of immigration will, without a doubt in my opinion, serve as a deterrent to other countries who otherwse might be willing to continue to receive a share of these refugees and to assist cooperatively in the solution of this problem. The negative influence of this "closed door" policy will, I fear, boomerang on us. The impact of neglect in meeting this issue by means of permissive legislation, will cost us in terms of good will more than the costs would be in terms of the establishment and maintenance of a program to further aid in the solution of this problem. Our country has gained as the recipient to date from its immigrants. Our gains have been numerous. Our history is abundantly explicit with the facts and conclusions on this point. Our most recent experience with the 340,000 admitted under the Displaced Persons Act has demonstrated constructive gains and has further strengthened our economy. We have gained in industry. We have gained in the arts and sciences. We have materially enriched the culture of our country. Agricultural production has gained and the general labor-market needs have been aided through these newcomers to our country. These social, economic, and cultural gains have far outweighed the financial cost to our National Government and its political subdivisions.

A system of planned resettlement, as was accomplished through the United States Displaced Persons Commission, the voluntary agencies, and the IRO, has assured a more effective integration of these newcomers into our communities. There is considerable and substantial evidence to document the fact that we, as a nation, could assimilate many thousands more of these refugees into our economy, with a further strengthening and enrichment of our national life.

Our national long-range interests in relationship to this problem of overpopulation in areas of western Europe places us in a position of responsibility to actively participate in the enlightened solution of this complex but very vital problem. We have national and international responsibility for continued leadership in holding out hope and making it possible by remaining a country willing to receive these refugees in cooperation with other countries.

In summary, my observations and study of this problem indicate to me the need for a thorough evaluation of its over-all relationship to the following basic points:

(1) Its total relationship to the efforts of our Government and other governments in its broad phases as related to the establishment and maintenance of stabilized economies in western Europe.

(2) The impact of the overpopulation problem upon those factors—economic, political, and moral—which influence our joint and mutual efforts toward the achievement of an honorable, enduring peace with freedom.

(3) Its relationship to the security and military defenses of western Germany and western Europe. This aspect of this total problem is of vital significance and should not be underestimated.

Therefore, in view of the important and urgent need for a prompt solution to the problems of overpopulation in areas of western Europe, I implore this Commission's support and recommendation to the President of the United States that an impelling urgency for new legislation exists to make it possible for this great Nation as a leading world power to adequately shoulder its responsibilities in this issue of the free world and to enable the United States of America to continue to uphold its unequaled national traditions as the champion of social justice before all men and nations.

The CHAIRMAN. Thank you very much.

The hearing will now stand in recess until 1:30 o'clock this afternoon.

(Whereupon, at 12:30 p. m., the Commission recessed until 1:30 p. m. of the same day.)

HEARINGS BEFORE THE PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION

THURSDAY, OCTOBER 9, 1952

FOURTEENTH SESSION

CHICAGO, ILL.

The President's Commission on Immigration and Naturalization met at 1:30 p. m., October 9, 1952, pursuant to recess, in room 237, Federal Building, 219 South Clark Street, Chicago, Ill., Hon. Philip B. Perlman, Chairman, presiding.

Present: Chairman Philip B. Perlman, and the following Commissioners: Monsignor John O'Grady, Rev. Thaddeus F. Gullixson, Dr. Clarence E. Pickett, Mr. Thomas G. Finucane.

Also present: Mr. Harry N. Rosenfield, executive director.

The CHAIRMAN. The Commission will be in order.

This afternoon we will have Prof. Philip M. Hauser as our first witness.

STATEMENT OF PHILIP M. HAUSER, PROFESSOR OF SOCIOLOGY, UNIVERSITY OF CHICAGO

Professor HAUSER. I am Philip M. Hauser, 5729 Kimbark Avenue, Chicago. I am professor of sociology at the University of Chicago. Prior to joining the University of Chicago, I served as Deputy Director of the Census Bureau for some years and Acting Director of the Bureau before the last census, in preparation for the 1950 census. I also represented the United States Population Commission of the United Nations for some 5 years.

I have a prepared statement I would like to read.

The CHAIRMAN. We shall be pleased to hear it.

Professor HAUSER. Mr. Chairman and members of the Commission, I am appearing before this Commission to testify on the need for rethinking and revamping Public Law 414, Eighty-second Congress. I appear partly as a student of population problems, but primarily as a citizen. Needless to say, my university, which does not interfere in any way with my right of saying what I think, does not in any way endorse or necessarily agree or disagree with my testimony. There are a number of features of Public Law 414 with which I disagree, but this statement is restricted to some considerations which bear on basic policy problems in respect to the numerical limitation on immigration and to the quota system for the admission of immigrants.

The gist of my testimony against the Immigration and Nationality Act may be stated as follows: (1) It is not based on a sound con-

sideration of United States population policy; (2) it embodies provisions completely inconsistent with the needs of the world in which we live; (3) it perpetuates a doctrine of racism based on unwarranted assumptions in respect to the differential quality and potentials of various ethnic and national groups; (4) it is blind to the historic example afforded by the experience of the United States of the capacity for any people to rise to positions of high social, economic, and political level when provided with the opportunity to do so; (5) it is inconsistent with, and jeopardizes, our position of world leadership in the present troubled international situation; (6) it provides our deadly enemy in the cold and hot war, the U. S. S. R., with rich grist for her cunning propaganda mill dedicated to the undermining of our relations with the rest of the world, and particularly with the critical less-developed areas of the world; (7) it is not integrated with our economic or foreign policy, and particularly with our program to help promote the development of the less developed areas of the world.

First of all, I should like to point out that any enactment concerned with fixing numerical or qualitative restrictions on immigration should take cognizance of the place of such legislation in the context of a general population policy for the United States, as well as the relation of such a policy to national and international needs and to the foreign policy and commitments of the United States. Such cognizance is certainly not taken by Public Law 414. This law can hardly be said to be the end result of a careful consideration of total United States population policy and foreign policy and objectives. It may more accurately be described as a patchwork modification of previous legislation, relating to immigration which had its origin in the special problems, high emotionalism and political furor of a period at least three decades ago.

For example, the numerical restriction on the total number of immigrants contained in Public Law 414 is an arbitrary number. It was unrelated to the needs of the United States at the time of its original enactment in 1921, or its revision in 1924; and in being reenacted in substantially its 1924 form is even less related to the needs of this country at the present time. The numerical limitation of approximately 150,000 immigrants, provided for by the 1924 act, restricted immigration to about one-sixth of 1 percent of the total population of the United States in 1920. It was arbitrarily low even at that time in the light of the widespread and unfounded fear of labor surpluses in this country. Today such a numerical limitation, in view of domestic and international needs, may be regarded as patently inhumane, shortsighted, and detrimental both to the United States and to the world at large.

With an unprecedented world need for places of refuge and asylum for politically persecuted and enslaved human beings who manage to escape from behind the iron curtain, with problems of settlement still facing millions of wartime displaced persons, with problems of population pressure haunting various areas in free southern and eastern Europe, and large parts of the free Orient, there is a greater need than ever before in human history for opening the gates, within reason, to a new world and new opportunity to worthy fellow human beings. Moreover, with our own unprecedented era of full and even more than full employment, in which the labor market is the limiting

factor to many of our defense and normal production needs, the United States is in an excellent position to absorb relatively large numbers of persons from abroad.

I do not pretend to have a numerical figure for the limitation of total immigration which is exactly the right one; but in view of the situation I have briefly described above, it is clear that the present numerical limitation is absurdly low. Alternatives were considered in the debate preceding the enactment of Public Law 414. The Humphrey-Lehman bill, for example, provided for approximately 100,000 more immigrants a year than does the present law. This figure of 250,000 by no means represents the upper limit of immigrants which we could safely absorb. But, even the Humphrey-Lehman figure would represent a great improvement over the present legislation, in the light of our own and international needs and in view of the fantastic situation which has arisen in respect to the mortgages which have been placed on the future immigration quotas of many countries.

What is needed in order to arrive at a more sensible and realistic numerical limitation on total immigration is careful study and deliberation of a type which I trust this Commission's activities is initiating. The figure must be arrived at on the basis of the best estimates of world needs and the long run, as well as the short run, interests of the United States.

I should like to turn next to a consideration of several aspects of the quota system provided for in Public Law 414. This act, while representing some improvement in its provisions for Asiatics, nevertheless in substance retains the national origins formulas initiated in the Immigration Act of 1924. The quotas allotted give preference to the entrance of immigrants from northern and western Europe, and greatly restrict the entrance of persons from southern and eastern Europe, in a ratio of about 85 to 15 percent. As a distinct improvement over the 1924 act, the 1952 act removes the racial disqualification for citizenship but it provides only a token quota for Asiatic immigrants.

These provisions are completely inconsistent with the demographic needs of these various areas of the world. The rate of population growth of northern and western Europe has declined greatly during the past half century, so as to foreshadow periods of actual population decline in the not too distant future. In contrast, the rates of population growth of southern and eastern Europe and of Asia are still at relatively high levels, and have the potentiality of further increase as they experience the full effects of improvement in agricultural and industrial technology and in modern medical and public health methods. In other words, we have assigned relatively large quotas to those parts of the world which least need it, now and in the foreseeable future; and we have assigned the smallest quotas to those parts of the world which now, and in the foreseeable future, have the greatest needs.

It would be better if this allocation of quotas were the result merely of ignorance of the facts of differential rates of population growth and pressures, than of the prejudices and racist doctrine which they embody. It was the intent of the Immigration Act of 1924 to encourage immigration from northern and western Europe, greatly to restrict immigration from southern and eastern Europe and to prohibit immigration from the Orient. These provisions undoubtedly

reflected the prejudices against the latter groups based on the unwarranted assumption that they represented peoples of undesirable characteristics and inferior stock. Quota allocations in the Immigration Act of 1924 enacted into law the accumulated prejudices and bigotries of some of the American people. Public Law 414 has not hesitated to reenact them. Such behavior on the part of the Congress of the United States not only represents a complete insensibility to the public opinion of large parts of the world and of the various ethnic and racial groups affected who are citizens of this country, but also a complete disregard of one of the most glorious chapters in the history of the United States. No other nation in the history of man has provided as inspiring and convincing a demonstration of the fact that any people of any ethnic origin or race can do what any other people in the world can do; and can achieve the highest possible standards of social, economic, and political existence if provided with the opportunity to do so. In reenacting the quota system of 1924 into Public Law 414, we have in fact closed our minds and our hearts to one of the truly great contributions that the United States has made to human knowledge and to the cause of world citizenship.

The existence of such legislation as the present quota system in the statute books of the United States is to be particularly deplored in view of the position of world leadership which the United States has assumed in the almost three decades which have elapsed since the passing of the Immigration Act of 1924. It embodies a vicious and self-incriminating doctrine inconsistent with our position as a leader in the cause of world freedom and democracy. It is among the greatest barriers to our gaining the confidence and trust of many of the peoples of the world. I can document this assertion with what I have seen and heard in my own experience in many parts of the world.

Less than 3 weeks ago I returned from my fourth trip abroad. It was an extended trip of over 14 months, most of which I spent in the Orient, and during which I completely circumnavigated the globe. I can assure this Commission that Public Law 414 is well known to the peoples of the world and that it is not favorably known. It does untold damage to the United States in creating attitudes of distrust and hostility. For example, I have on a number of occasions been embarrassed by Asiatic people who have questioned me about the quota system, as one aspect of what they regard as our racial and ethnic prejudices. Few discussions of world or United States problems failed to elicit some question about United States racial prejudices in policy or deed and some manifestation of puzzlement about, or hostility to it. It is absurd to think that we can retain our position as the world leader in the fight for freedom and democracy with the peoples whom we explicitly and openly brand in our legislation as undesirable and inferior.

Furthermore, in reenacting the quota system in 1924 into the Immigration and Nationality Act of 1952, we have unwittingly placed into the hands of the ruthless, adroit, and unscrupulous propagandists of the U. S. S. R., a major weapon with which to attack us. As a resident of Southeastern Asia for about a year, I had occasion to listen to Radio Moscow and to read the local news reports of the activities of Russian agents and propagandists. In this critical area, the fate of which may well determine the fate of the world, the U. S. S. R. is skillfully and

continuously making the most of our ethnic and racist doctrines as promulgated in Public Law 414.

I have heard on numerous occasions the propaganda blasts of Radio Moscow. Much of its content was so distorted, fabricated and patently absurd that I am sure it fooled nobody—except possibly its perpetrators. Some of it, however, met high standards of effective propaganda technique, particularly that which, in even small part, could be documented as in the case of their, on the whole, wild and exaggerated depictions of our racial and ethnic prejudices and animosities. I am sure it was not the intention of the drafters of Public Law 414, or of the Congress, to place a powerful weapon into the hands of the U. S. S. R. in their propaganda war against the United States. But I can assure the members of this Commission that its enactment has had just such an effect.

Finally, it does not take very deep analysis of Public Law 414 to discover that its enactment was a discrete, segmental piece of legislation without regard to the economic and foreign policy of the United States and certainly without integration with the programs designed to promote the development of the less developed areas. The critical problems arising from great variations in the standards of living of the various peoples of the world are attributable in large part to the differences between the distribution of the world's resources and population, and to the historical accident of differential developments in agricultural and industrial technology. In pursuing a policy designed to raise the standard of living of all the peoples of the world, and especially of those in the less developed areas. We can theoretically bring about a better relationship between distribution of the world's resources and population in either one of two ways or by some combination of both. First, we could admit relatively large numbers of people from the less developed areas which would tend to promote a better world balance between population and resources; or second we could export capital goods or promote other forms of economic assistance which would tend to have the same effect. We are in fact doing some of both; we are not doing them in an integrated and consistent manner within a well formulated and understood framework of policy taking account of both its domestic and international implications.

I have not troubled the Commission with a presentation of the many facts, quantitative and qualitative, which are available to document the testimony I have presented. The Congressional Record and other reports are replete with such information. I have tried to emphasize the basic importance of rethinking and rewriting our immigration laws in the context of a total population policy for the United States and of our foreign policy and commitments. We need an immigration act in accord with the realities of our domestic and world needs and consistent with our position of world leadership.

Our immigration laws up to this point, including Public Law 414, do not meet these criteria. The immigration policy of the United States has been ably summarized by Senator Paul H. Douglas in his speech in the Senate of the United States on Monday, May 19, 1952, when he said—the Senator, I might say, is a former colleague at the University of Chicago—

"If we look over the history of immigration policy, I think we can say, considering migration by continents, that migration from Africa

was forced; migration from Asia was prohibited; migration from the Americas has been free; and migration from Europe was first free and then restricted."

This policy has not been the product of careful study and deliberation but was rather the result of historical accident and piecemeal legislation in the absence of a well-formulated population policy. I have appeared before this Commission in the hope that it will be the forerunner of basic research into this problem and of a more rational, deliberate, and objective approach to the immigration policy of the United States than such policy has hitherto received.

Commissioner PICKETT. In view of our population trends and employment, what estimate would you arrive at as a possible figure for total immigration?

Professor HAUSER. Such estimates are possible; I am not prepared to present one now. I have been back only 3 weeks after 15 months' absence from the country. I think in general this is the kind of thing the expert can provide, so to speak: He can provide certain facts and then judgment must be exercised by administrators or Congress or whoever is responsible. One thing I am sure of, having looked through the mass of debate and discussion and consideration that preceded this and other immigration legislation: That no one figure have I seen of careful, deliberate consideration, was the maximum number, and how that would affect the strength or economy of the United States. For instance, it is conceivable, one of the criteria for relatively large populations, is the demand for the military. So if there is no problem of national defense or freedom of democracy in the world, we would have quite a different answer than you might want to admit; or if you assume you have to live in a military world or need some other form of manpower.

My point is, arriving at the number of 150,000 was not a result of deliberation that either our economy or our manpower needs were related to that figure.

The CHAIRMAN. Thank you very much, Doctor. We appreciate your appearing here.

Professor HAUSER. Thank you, sir.

The CHAIRMAN. Is Miss Esther Davis here?

STATEMENT OF ESTHER DAVIS, CHAIRMAN, DISPLACED PERSONS SUBCOMMITTEE OF THE CHICAGO CHURCH WORLD SERVICE COMMITTEE

Miss DAVIS. I am Esther Davis, 82 Washington Street, Chicago. I represent the displaced persons subcommittee of the Chicago Church World Service Committee, of which I am chairman. I am also speaking as an individual Baptist.

I have a statement prepared by Mr. Ralph E. Smeltzer, director of the Chicago Church World Service Committee and myself, which I would like to read.

The CHAIRMAN. You may do so.

Miss DAVIS. We appreciate this opportunity to present testimony to the President's Commission and we wish to thank the Commission for its invitation.

We have been authorized by the Chicago Church World Service Committee to present this testimony. The Chicago Church World

Service Committee has been engaged in the resettlement of DP's and refugees on behalf of the Protestant denominations in the Chicago area for the past 3 years. The committee is an operating unit of the Church Federation of Greater Chicago.

For many months our committee has studied the matter of United States immigration and naturalization policy, particularly in reference to the continued immigration of DP's and refugees. On April 16, 1952, it took the initiative in preparing a document dealing with the analysis and recommendations for such legislation. This document was based not only upon the committee's study but also upon its 3-year experience in resettling DP's and refugees. On June 5, 1952, the document was adopted with minor changes, by the department of citizenship education and action of the Church Federation. On June 6, 1952, the board of directors of the Church Federation adopted the document as its statement of policy and action.

This document was finally entitled "What Should Be the Immigration Policy of the U. S. A.?" Its subtitle was "Analysis and Recommendations of the Department of Citizenship Education and Action and of the Displaced Persons Committee of the Chicago Church World Service Committee Re: Immigration and Naturalization Legislation for the United States." It was used as a guide to help Christians be more intelligent about this complex but crucial social problem which was before the last session of Congress. It stated the problem and the issues at that time. It analyzed the arguments for and against the three bills before the last session of Congress: Namely, the McCarran-Walter bill, the House Joint Resolution 411, and the Celler bill. It stated the moral and spiritual principles involved. It presented a statement of policy on immigration and naturalization legislation. Finally, it made specific recommendations for action for local church groups, individual Christian citizens, and for the Church Federation.

Some aspects of this document are now out of date because of the passage of the McCarran-Walter bill, and because House Joint Resolution 411 and the Celler bill died with the close of the last session of Congress. But as far as our committee and the Church Federation of Greater Chicago are concerned this document remains basic. A copy is attached to this testimony and is to be considered a part of it.

I shall now read the two sections which today remain wholly appropriate for the consideratiton of the President's Commission.

First, I want to quote the section on page 2 entitled "The Moral and Spiritual Principles Involved."

> Our Christian faith calls us to a compassionate concern for the millions of uprooted and surplus people throughout the world. They are fellow beings. They are in unfortunate circumstances through no fault of their own. Some are in these circumstances because of the war, some due to postwar vengeance, others due to the present cold war, and still others due to the economic and social conditions of their countries. All are subjects for Christian concern and compassion. The Christian Church is the agent of God's mercy and will in the world. The Christian Church in the United States is in an unusually favorable position to press for and to help facilitate the amelioration of the world's suffering people through immigration.

Next, I shall quote the section beginning on page 2, entitled, "Statement of Policy on Immigration and Naturalization Legislation."

> The plight of the world's uprooted peoples creates for the United States, as for other liberty-loving nations, a moral as well as an economic and political

problem of vast proportions. Among these peoples are those displaced by war, and its aftermath; the refugees made homeless by reason of Nazi, Fascist, and Communist tyranny, and more recently, by military hostilities in Korea, the Middle East, and elsewhere; the expellees forcibly ejected from the lands of their fathers, and the escapees who every day break through the iron curtain in search of freedom. These persons long for the day of their deliverance and for the opportunity to reestablish themselves under conditions of peace and promise. A problem of equal urgency is involved in the surplus populations that cannot now be supported by the economies of their respective countries. The pressure exercised by these surplus people is of a kind seriously to threaten the stability and well-being of the entire world.

We see in this situation an issue that can be resolved only as nations, collectively and separately, adopt policies dictated by considerations not only of justice and mercy, but also of sound mutual assistance.

On the international level, we believe the United States, for moral reasons as well as in the interest of its own economic and political security, should remain steadfast in its purpose to cooperate with other nations in meeting the needs of displaced persons, refugees, and surplus populations. Through the United Nations, the United States contributed generously of its resources in the work of the International Refugee Organization. Likewise, the United States is participating in the activities of the Office of the High Commissioner for Refugees, the United Nations Korean Reconstruction Agency, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Our country, through the United Nations, and in other ways, assisted in providing a haven in Israel for many thousands of Jewish refugees. More recently the United States joined with 16 governments in the creation of the Provisional Inter-Governmental Committee for the Movement of Migrants from Europe. The purpose of this committee, in part, is to continue, for a limited period, the migration activities previously carried on by the International Refugee Organization.

The Congress of the United States is considering a revision of our immigration and naturalization laws. It is of the utmost importance that legislation be enacted that will conform with our democratic tradition and with our heritage as a defender of human rights. The adoption by Congress of an enlightened immigration program would add immeasurably to the moral stature of the United States and would hearten those nations with which we are associated in a common effort to establish the conditions of a just and durable peace.

In the formulation of its immigration policy, Congress should take into account the plight of the world's uprooted peoples and the tensions occasioned by the surplus populations that cannot now be supported by the economy of their respective countries. It is right and proper that Congress shall approve such precautionary measures as may be required to ensure our Nation against the infiltration of hostile forces. We believe this end can be achieved without the imposition of such restrictive measures as would violate the American conception of justice.

We believe that the revision of our immigration and naturalization laws should provide a more flexible quota system. This system, based upon the national origins formula, was dictated by considerations which are not relevant to the present international situation. Under existing legislation provision is made for the possible admission to the United States, each year, of 154,000 immigrants. For one reason or another the quotas assigned to many countries cannot now be filled. Serious considerations should be given to the pooling or adjusting of unused quotas in order to facilitate family reunion, provide skills needed in our country, and to offer asylum to persecuted victims of totalitarian regimes. Whatever new plans for the use of unused quotas for refugees may be established, admission and transportation should be the responsibility of government and not of the voluntary agencies.

We believe that Congress should complete the process of amending immigration and naturalization laws so that, within the quota system, all discriminatory statutes based upon considerations of color, race, or nationality would be removed not only in principle but in fact.

We believe that Congress should establish a system of fair hearings and judicial appeals respecting the issuance of visas, admission and deportation practices.

We believe that Congress should adopt such legislation as may be required fully to complete the displaced persons program to which our country is committed under the Displaced Persons Act of 1948 as amended. This legislation should provide for the admission to the United States of (*a*) those who were processed under the Displaced Persons Act but for whom visas were not available on December 31, 1951, (*b*) an additional number of persons of those groups, especially

German ethnic refugees, for whom a clearly insufficient number of visas were provided in the original legislation, and (c) our fair share, under proper safeguards, of those who have escaped from behind the iron curtain subsequent to January 1, 1949, the cut-off date specified under the original displaced persons legislation. The additional visas here recommended should be authorized within the period ending December 31, 1952, and should be granted without regard to sectarian considerations.

We believe that Congress should adopt special legislation to permit a generous number of German ethnic refugees and political refugees from behind the iron curtain to find new homes in our country during the next 3 years.

We believe that immigration from overpopulated countries should be handled through our regular immigration system on a fair, nondiscriminatory basis. Any emergency legislation to bring "surplus populations" to this Nation should be enacted only as a part of an over-all United Nations plan.

We believe that Congress should remain steadfast in its commitments to cooperate with other nations looking toward the migration and resettlement of displaced persons, refugees, and surplus populations under circumstances of freedom and opportunity. We therefore oppose any proposals which would hinder in any way the operation of those international agencies in this field to which the United States is a party or which would diminish the participation of our country in them.

At the same ime we would welcome the immediate establishment of a national commission trully representative of governmental and nongovernmental bodies to study and analyze the problems of refugees and surplus populations, and to make recommendations looking toward a just and humanitarian solution to these problems so important to world peace and security.

This quotation is from our paper on Statement of Policy on Immigration and Naturalization Legislation.

We should like to summarize the above policy statement with the following additional remarks. We favor liberalizing United States immigration policy. We favor the pooling of quotas so that this can happen. But we favor going beyond this step because not even this step will sufficiently alleviate the refugee emergency situation in Europe and elsewhere. We favor special legislation to admit up to 300,000 refugees during the 3-year period 1953–55.

Admitting this number of refugees will help to solve three urgent problems and aid three groups. It will help the refugees by providing them with new homes; second, it will help to relieve overpopulated countries of their overpopulation; and, third, it will provide the United States with additional manpower, new cultural resources, and worthy future citizens.

The present overpopulation emergency in some European countries is due primarily to the presence of bona fide refugees: German ethnic refugees, refugees from former Italian possessions, Greek refugees, political or iron-curtain refugees, and a few remaining DP's. The refugee category does not and should not include so-called surplus or overpopulation. It includes only those persons who have been displaced directly by World War II or its aftermath, or directly by the present so-called cold war. The problem which some countries have in keeping the birth rate and nonrefugee population within the limits of the economic resources of the nation is not a problem to be solved by immigration. It is a separate problem and one which must be dealt with in another and separate manner.

Subsequent to the development and release of the document, What Should Be the Immigration Policy of the United States?, our displaced persons subcommittee has considered further the question of the functions of government and private agencies in the operation of a future refugee immigration program. Our committee has prepared

the following statement and suggestions to the President's Commission on this important question: What should be the functions of government and private agencies in the operation of a refugee immigration program?

The administration of a refugee program should be on a humanitarian and nonsectarian basis operated by the Government with complementary services provided by voluntary agencies. Illustrative of what might be regarded as an appropriate relationship between the Government and voluntary agencies are the following suggestions:

Direction.—By a senior officer directly responsible to the Secretary of State with such staff assistants in the United States and overseas as may be necessary. Such assignment of direction of the refugee program would avoid many of the duplications and complications of direction by a special commission and would make the refugee program an integral part of our regular immigration program.

Representatives of voluntary agencies and other qualified persons serving on an advisory committee to the director could help in developing policies, in strengthening public support, and in securing local cooperation among their constituencies.

Numbers.—To be determined by the Congress in the light of the needs among refugees and the opportunities for them in the United States. We believe that approximately 100,000 refugees per annum, or 300,000 over a 3-year period, with family connections in the United States, or possessing special skills, or with no opportunities elsewhere, can be absorbed readily in the American economy if there is careful selection and placement.

The voluntary agencies, with their intimate associations with refugees, can render special aid in recommending categories, locations, and individual nominations of such refugees.

Overseas selections.—Administrative responsibility would be carried by the regular consular officers, augmented as necessary by additional staff.

Voluntary agencies overseas would counsel with potential or prospective immigrants, assist in their processing, and render such religious and welfare services as would be helpful in the program in each country concerned. They also would enlist the cooperation of counterpart voluntary agencies. Their knowledge of the families and individuals involved would enable their representative to serve as friends of the court in the determination by the consular service of their eligibility for United States immigration.

Transportation.—All arrangements for transportation would be made by the Government. Cost of transportation would be shared by the refugee and the Government, the refugee share being $100 for each person over 16 years of age, $50 for each person 6 to 15 years of age, and nothing for each person 5 years of age or under. This transportation cost would be considered as a loan to the refugee by the Government, repayable within 3 years without interest.

Voluntary agencies would render complementary religious and welfare services in camps, centers, en route, and in pier reception.

Reception at port of entry.—All arrangements would be under the direction of the Government.

Voluntary agencies would render complementary services in welcoming and counseling with the new arrivals, in facilitating contact with churches and relatives.

Placement and distribution.—Plans for placement would be developed through appropriate regional, State, county, or city offices of a Federal agency or through State or local government agencies cooperating with the Federal refugee agency director or his regional representative, on the basis of a careful analysis of placement opportunities, cooperation of friends, relatives, etc.

Churches and community agencies would be responsible for assistance, through local advisory councils, on problems of community relations, agency cooperation, education, and other needed services.

Placement procedure.—In order to avoid the problem of trying to match in advance the prospective immigrant with a particular job opportunity or a sponsor in this country, which at best has not been a very satisfactory arrangement, the refugees would be brought to this country and placed in hostels or camps in those States where there are resettlement opportunities. These establishments might be operated by the individual State governments, by the Federal agency, or by voluntary agencies. Refugees and employers would then negotiate with each

other face to face. This would give stability of placement not possible through assurances and good-faith oaths.

Voluntary agencies, and especially the churches, can render indispensable aid at this level in securing the placement opportunities and in rendering a continuing service to newcomers.

Bonds and public-charge liability assurances.—Would not be required except in cases where relatives, friends, or churches desire to guarantee a specific family in which dependency is a factor.

Humanitarian factors.—The governmental agency will need to be especially authorized to maintain family units in its selections and in every reasonable way to maintain an emphasis upon the humanitarian factors in selections so that families, including their dependent members, may be included. The program is not a labor market but a movement of families to new opportunities.

Voluntary agencies will need to stand ready to assist in placing families with dependents, some family units which are not economically self-supporting, and widows with children.

Up to this point we have been discussing why we think new immigration legislation is needed and what we think is needed. The concluding section of our testimony deals with how we think such legislation can be secured.

A STRATEGY FOR SECURING OUR RECOMMENDED LEGISLATION

We believe that there are many serious defects in the McCarran-Walter bill. After the bill has been in operation for a reasonable period of time, we believe that these defects will be recognized by a majority of the Members of Congress and that the bill will be significantly revised or amended. We hope so. But it seems to us very unlikely—even remote—that the next Congress will attempt to make such changes in this bill which has just been passed and which has not yet been tried.

We believe, therefore, that it will be much easier to secure in the next session of Congress special emergency legislation to continue a liberalized immigration policy and to permit refugees needing a home to come to our land.

Even though we believe that it will be considerably easier to secure support for such special emergency legislation than to substantially change the McCarran-Walter bill, we do not believe that it will be any push-over. In order to secure even such legislation, we believe that three important steps must be taken.

First, there must be a united approach to Congress. The three faith groups and the nationality groups must come to a general agreement as to what they want and then to make a united approach to government. Such cooperation had much to do with the enactment of the Displaced Persons Act in 1948. That was a positive lesson.

A negative lesson can be seen in the defeat of the Celler bill. The principles in this bill were not agreed to by the three faith groups and the nationality groups. Most Roman Catholic and nationality groups testified in favor of this bill; most Protestant and Jewish groups testified against it. This split in the ranks of the groups desiring a liberalized immigration program was publicly evident at the open meeting of the United States Displaced Persons Commission in Chicago last January. Instead of that conference being used to help close ranks, it was used to widen them.

It is clear to us here in Chicago that if new liberalized immigration legislation is to be secured in the next session of Congress a new,

sincere, and successful attempt must be made to close ranks. This will have to be done on the basis of a new and compromise bill. We have explored the possibility of such a compromise with the nationality groups in Chicago and the Protestant Church leaders in New York.

Three basic issues and differences were involved in the Celler bill: (1) Special emergency legislation versus satisfactory permanent legislation, (2) preference to overpopulation versus preference to refugees, (3) continued sectarian operation versus Government nonsectarian operation.

From our exploration with the groups just mentioned, it is our judgment at the moment that if the proponents and opponents of the Celler bill—and the issues involved in it—are able to agree and to compromise, it will be along the following lines: (1) Agreement on the need now for special emergency legislation; (2) resettlement in the United States of bona fide refugees, which will at the same time relieve overpopulation in the countries of asylum; (3) agreement on Government nonsectarian operation of such a refugee resettlement program with the sectarian agencies carrying on supplemental and complementary services. This form of operation will avoid and reduce any further tensions between the faith groups.

May we repeat again: If the faith groups and nationality groups do not get together on the basic issues of a future liberalized immigration program, it is very improbable that the next Congress will enact such legislation.

Not only will there have to be closed ranks and a common front, but there are two other steps which will be necessary. The next step will be to sell Congress and the American people on the importance and value of bringing more refugees to this country for humanitarian reasons, for reasons of national self-interest, and for reasons of world peace and United States security. This step may be harder than it was in 1948.

The third and last step will be to convince Congress and the American people that such a liberalized Government-operated refugee resettlement program will actually more than pay for itself in terms of dollars and cents. The fact that the resettled refugees will soon be paying taxes to the Government far over and above the cost of their transportation and resettlment will need to be emphasized.

It is our hope that the President's Commission will come forward with recommendations for special emergency legislation which will call forth the support of all three faith groups and the nationality groups. We can only speculate as to how well the next Congress will receive the report of this Commission appointed by a President whose Congress has rejected both his proposal for, and his veto of, immigration legislation. On the other hand, if this Commission's recommendations are such that they can form a basis for agreement by the groups interested in securing liberalized emergency legislation, we are convinced that those recommendations will secure a much better hearing by the next Congress.

Again, may we express our appreciation to the Commission for inviting us to present our testimony and for listening to us so courteously.

ANALYSIS AND RECOMMENDATIONS OF THE DEPARTMENT OF CITIZENSHIP, EDUCATION AND ACTION AND OF THE DISPLACED PERSONS COMMITTEE OF THE CHICAGO WORLD SERVICE COMMITTEE RE: IMMIGRATION AND NATURALIZATION LEGISLATION FOR THE UNITED STATES

THE PROBLEM

There is no more important or controversial legislation before Congress than United States immigration and naturalization legislation. Throughout Europe many millions of refugees are in acute need. Surplus populations are not being absorbed in many lands. United States immigration laws are outmoded. Emergency immigration legislation expires June 30, 1952.

THE ISSUES

Now before Congress are—

1. The McCarran-Walter omnibus immigration bill (introduced January 29, 1952, in the Senate and February 14, 1952, in the House), regulating long-term United States immigration.

2. House Joint Resolution 411 (introduced March 26, 1952), designed to provide during the next 6 months enough additional visas to admit persons whose papers were processed at the expiration of one section of the DP Act last December 31.

3. The Celler bill, H. R. 7376 (introduced April 3, 1952), providing a 3-year emergency program admitting 300,000 refugees and surplus population.

Analysis of 1 (the McCarran-Walter immigration bill).—It is highly controversial. It has passed both Houses of Congress and will become law unless the President vetoes it and Congress sustains his veto.

Arguments pro: (1) It eliminates race as a bar to immigration; (2) it eliminates sex discrimination; (3) it provides for a certain amount of selective immigration.

Arguments con: (1) It establishes new racial discrimination; (2) it imposes more restrictions on immigration and naturalization than the present law; (3) it facilitates unfair deportation and denaturalization proceedings; (4) it weakens the safeguards against arbitrary treatment of aliens; (5) it fails to provide for a pooling of quotas.

Analysis of 2 (H. J. Res. 411).—It is generally a noncontroversial bill which passed the House of May 19, and is awaiting action by the Senate. It provides for the completion of the DP Act of 1948 as amended, and brings up no new issues.

Arguments pro: It has the humanitarian purpose of providing visas for DP's whose papers are already processed, whose bridges have been burned behind them, whose hopes were about to be realized when the visas gave out, whose morale is now suffering greatly. In familiar terms, it "clears the pipeline."

Arguments con: No more DP's should be admitted. (This argument was overcome with the passage of the DP Act in 1948.)

Analysis of 3 (the Celler bill, H. R. 7376).—It is an emergency measure to bring to the United States during the next 3 years 300,000 nonquota immigrants: 162,000 "surplus populations" (117,000 from Italy, 22,500 from Holland, 22,500 from Greece) and 138,000 refugees (117,000 German ethnics and 21,000 political refugees from the iron-curtain countries). It is a highly controversial bill because: (*a*) It calls for admitting "surplus populations" on an emergency basis which is a new departure in United States immigration policy; (*b*) because it does not include "surplus populations" from other overpopulated countries; (*c*) because this bill discriminates in favor of a Roman Catholic overpopulated country whereas there are other equally deserving overpopulated countries representing other faiths; (*d*) because it would continue for a 3-year period the sectarian operation of the present DP Act; (*e*) because it would provide financial support for voluntary agencies (including sectarian ones) from tax funds; and (*f*) because it gives numerical priority to "surplus populations" rather than to refugees.

Arguments pro: 1. Many more refugees needing homes should be admitted to the United States during the next 3 years. 2. Some European nations, especially our allies, should be helped to relieve the pressure of their surplus populations. 3. The immediate needs of refugees and surplus populations should be met by emergency legislation because our regular immigration laws do not permit their immigration.

Arguments con: 1. No more refugees should be brought to the United States. 2. Immigration is not the solution to the problems of surplus populations. 3. It

is time to end emergency legislation. 4. This bill would continue the sectarian operation of the present DP Act which places the major burden of resettlement upon the sectarian agencies. 5. It provides financial support from tax funds to sectarian agencies.

THE MORAL AND SPIRITUAL PRINCIPLES INVOLVED

Our Christian faith calls us to a compassionate concern for the millions of uprooted and surplus people throughout the world. They are fellow beings. They are in unfortunate circumstances through no fault of their own. Some are in these circumstances because of the war, some due to postwar vengeance, others due to the present cold war, and still others due to the economic and social conditions of their countries. All are subjects for Christian concern and compassion. The Christian Church is the agent of God's mercy and will in the world. The Christian Church in the United States is in an unusualy favorable position to press for and to help facilitate the amelioration of the world's suffering people through immigration.

STATEMENT OF POLICY ON IMMIGRATION AND NATURALIZATION LEGISLATION

The plight of the world's uprooted peoples creates for the United States, as for other liberty-loving nations, a moral as well as an economic and political problem of vast proportions. Among these peoples are those displaced by war and its aftermath; the refugees made homeless by reason of Nazi, Fascist, and Communist tyranny, and more recently, by military hostilities in Korea, the Middle East, and elsewhere; the expellees forcibly ejected from the lands of their fathers, and the escapees who every day break through the iron curtain in search of freedom. These persons long for the day of their deliverance and for the opportunity to reestablish themselves under conditions of peace and promise. A problem of equal urgency is involved in the surplus populations that cannot now be supported by the economies of their respective countries. The pressure exercised by these surplus people is of a kind seriously to threaten the stabilization and well-being of the entire world.

We see in this situation an issue that can be resolved only as nations, collectively and separately, adopt policies dictated by considerations not only of justice and mercy, but also of sound mutual assistance.

On the international level, we believe the United States for moral reasons, as well as in the interest of its own economic and political security, should remain steadfast in its purpose to cooperate with other nations in meeting the needs of displaced persons, refugees, and surplus populations. Through the United Nations, the United States contributed generously of its resources in the work of the International Refugee Organization. Likewise, the United States is participating in the activities of the Office of the High Commissioner for Refugees, the United Nations Korean Reconstruction Agency, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Our country, through the United Nations, and in other ways, assisted in providing a haven in Israel for many thousands of Jewish refugees. More recently the United States joined with 16 governments in the creation of the Provisional Intergovernmental Committee for the Movement of Migrants from Europe. The purpose of this Committee, in part, is to continue for a limited period the migration activities previously carried on by the International Refugee Organization.

The Congress of the United States is considering a revision of our immigration and naturalization laws. It is of the utmost importance that legislation be enacted that will conform with our democratic tradition and with our heritage as a defender of human rights. The adoption by Congress of an enlightened immigration program would add immeasurably to the moral stature of the United States and would hearten those nations with which we are associated in a common effort to establish the conditions of a just and durable peace.

In the formulation of its immigration policy, Congress should take into account the plight of the world's uprooted peoples and the tensions occasioned by the surplus populations that cannot now be supported by the economy of their respective countries. It is right and proper that Congress shall approve such precautionary measures as may be required to insure our Nation against the infiltration of hostile forces. We believe this end can be achieved without the imposition of such restrictive measures as would violate the American conception of justice.

We believe that the revision of our immigration and naturalization laws should provide a more flexible quota system. This system, based upon the na-

tional origins formula, was dictated by considerations which are not relevant to the present international situation. Under existing legislation provision is made for the possible admission to the United States, each year, of 154,000 immigrants. For one reason or another the quotas assigned to many countries cannot now be filed. Serious considerations should be given to the pooling or adjusting of unused quotas in order to facilitate family reunion, provide skills needed in our country, and to offer asylum to persecuted victims of totalitarian regimes. Whatever new plans for the use of unused quotas for refugees may be established, admission and transportation should be the responsibility of government and not the voluntary agencies.

We believe that Congress should complete the process of amending immigration and naturalization laws so that, within the quota system, all discriminatory statutes based upon considerations of color, race or nationality would be removed not only in principle but in fact.

We believe that Congress should establish a system of fair hearing and judicial appeals respecting the issuance of visas, admission and deportation practices.

We believe that Congress should adopt such legislation as may be required fully to complete the displaced persons program to which our country is committed under the Displaced Persons Act of 1948 as amended. This legislation should provide for the admission to the United States of (*a*) those who were processed under the Displaced Persons Act but for whom visas were not available on December 31, 1951, (*b*) an additional number of persons of those groups especially German ethnic refugees for whom a clearly insufficient number of visas were provided in the original legislation and (*c*) our fair share under proper safeguards, for those who have escaped from behind the iron curtain subsequent to January 1, 1949, the cut-off date specified under the original displaced persons legislation. The additional visas here recommended should be authorized within the period ending December 31, 1952, and should be granted without regard to sectarian considerations.

We believe that Congress should adopt special legislation to permit a generous number of German ethnic refugees and political refugees from behind the iron curtain to find new homes in our country during the next 3 years.

We believe that immigration from overpopulated countries should be handled through our regular immigration system on a fair, nondiscriminatory basis. Any emergency legislation to bring "surplus populations" to this Nation should be enacted only as a part of an over-all United Nations plan.

We believe that Congress should remain steadfast in its commitments to cooperate with other nations looking toward the migration and resettlement of displaced persons, refugees, and surplus populations under circumstances of freedom and opportunity. We therefore oppose any proposals which would hinder in any way the operation of those international agencies in this field to which the United States is a party or which would diminish the participation of our country in them.

At the same time we would welcome the immediate establishment of a national Commission truly representative of governmental and nongovernmental bodies to study and analyze the problems of refugees and surplus populations, and to make recommendations looking toward a just and humanitarian solution to these problems so important to world peace and security.

RECOMMENDATIONS

The following recommendations are made because of the extreme urgency, the immediacy, and the world-wide importance of the problem. The immigration policy of the United States is being rewritten by the present session of Congress. Before that body adjourns the first week in July, it may be expected to define United States policy regarding refugees, surplus populations, remaining DP's and long-term immigration. The decision of Congress regarding uprooted and surplus people will have much to do with world cooperation and church-state relations as well as with the future of hundreds of thousands of individuals. The following recommendations are made in the light of these facts.

A. That the Church Federation of Greater Chicago adopt the foregoing statement as its statement of policy on immigration and naturalization legislation.

B. That it circulate this statement along with the analysis and recommendations among the Protestant citizenry of the Chicago area in an effort to educate the citizenry as to the present immigration issues before our Nation.

C. That it carry out the following specific actions which follow directly from the above statement, and that it encourage Protestant groups and individuals in our community to act in a similar fashion.

1. *Re long-term legislation.*—(*a*) Write to the President of the United States declaring our opposition to most of the principles embodied in the McCarran-Walter immigration bill and ask the Congress to sustain a Presidential veto.

(*b*) Ask the Congress to enact legislation more in accord with the policy set forth above, and which, to a large extent, was proposed in a bill S. 2842, introduced by Senators Humphrey, Lehman, Douglas and 10 others on March 12, 1952.

2. *Re 6-month legislation (July 1–December 31, 1952).*—Ask Congress to enact emergency legislation to admit those DP's, German ethnic refugees and political refugees who have been processed but for whom visas were not available. House Joint Resolution 411 intends to carry out this principle, but it includes only DP's. In order fully to carry out the above principle, it should be amended to include visas for German ethnic and political refugees who were also caught in the "pipeline."

3. *Re 3-year emergency legislation (January 1953 through December 1955).*—Ask Congress to enact new emergency legislation to admit over a period of 3 years a generous number of German ethnic refugees and political refugees. This could be done by revising or amending the Celler bill, or by introducing and enacting a new bill.

4. *Re surplus populations.*—Ask Congress not to enact any emergency legislation which would bring surplus populations to this Nation, but to appoint a commission to study the surplus population problem at an international level in order to advise on methods of permanent solution.

Adopted (in general) by DP resettlement committee of the Chicago World Church Service Committee on May 9, 1952.

Adopted (with minor changes) by the department of citizenship, education, and action of the Church Federation of Greater Chicago on June 5, 1952.

Adopted (as here reproduced) by the board of directors of the Church Federation of Greater Chicago on June 6, 1952.

The CHAIRMAN. Thank you, Miss Davis. Is Mr. Boss here?

STATEMENT OF CHARLES F. BOSS, JR., EXECUTIVE SECRETARY OF THE BOARD OF WORLD PEACE OF THE METHODIST CHURCH

Dr. Boss. I am Dr. Charles F. Boss, Jr., executive secretary of the board of world peace of the Methodist Church, 740 Rush Street, Chicago.

Mr. Chairman, I may say at the start that I am an amateur in a sense and shouldn't be considered as an expert or authority on this, but I think I shall be presenting pretty well the attitude of the leadership of our churches and our board and our members.

Also, I would like to say that certain of the statements which I make are based somewhat on the consensus of judgment of our group which met in New York just a little over 10 days ago, on Monday, the 29th of September, in which we seemed to have arrived at some decisions. So, while I am not quoting them directly, I am sure that what I have to say is based very largely on this rather considerable group from Europe and the United States who came together to discuss this whole program of migrant persons. For that reason, I want to——

Commissioner O'GRADY. Was there a meeting of the representatives of your church?

Dr. Boss. No, sir; they were brought together by the National Council of Churches, and the two persons who just preceded me were at that meeting, so that on many points I should, of course, be quite in agreement with the presentations made.

May I first thank this Commission for the privilege of appearing before it to make a statement on what I believe to be the attitudes and convictions of responsible persons in our church and church boards. I would like to insert there, so that you know at the beginning my view on it, that I support a number of persons who might be

brought into the country of at least 250,000. That was the consensus of judgment in Ney York of the 60 or 75 persons representing the Protestant Churches of the national council, and certain other groups. I would myself say 300,000, but I defer to the judgment of those who are working more particularly in this field.

The CHAIRMAN. Is that annual?

Dr. Boss. Yes, sir.

The CHAIRMAN. Is that your view as to the number to be admitted annually?

Dr. Boss. Yes, 162,000 was too small. It was proven that the country can absorb more than that number.

Commissioner O'GRADY. Was that for an indefinite period?

Dr. Boss. We are thinking of a permanent period, as I shall indicate. I will make the differentiation between the emergency legislation and the permanent aspects of the recommendations.

I wish also to say that I have made five trips into Europe in the last 6 years or so, and that in addition one other one into central Europe, and that these trips into Europe have taken me not only to western and central Europe, but on two occasions into Poland and Czechoslovakia, and once into Hungary, and on three of the trips I have worked in Yugoslavia. So that I do have at least some of the background of study, of conducting seminar work to support in the main what I have to say.

Further, it should be said in the light of our criticisms of the present legislation that we are not unaware of the complexity of the immigration problem nor of the extreme difficulties faced by Congress and the Judiciary Committee in efforts to arrive at a just and aceptable solution to the immigration problem.

Churchmen—and I assume others—are in full agreement that we can no longer describe as emergency legislation that which is essential to meeting the just needs of migrant peoples, most of whose plight is due to war dislocations. However, the immediate postwar emergency problems are past, and we know that we are confronted with a long-term problem in efforts to meet the tragic plight of many millions of homeless people. A recent survey carried out in part on the ground in Europe, the Middle East, and certain areas of Asia, reveals the existence of no fewer than 14,250,000 homeless peoples. As Dr. Elfan Rees and Dr. Robert C. Mackie, representing the special problems of migrant people and the World Council of Churches, have stated. This number is more than the total population of Canada.

These more than 14,250,000 migrant, homeless people include such categories as we have been accustomed to use in connection with displaced persons, refugees, expellees, escapees, and others. It is interesting to learn the facts, just a few of which I may cite, for example, that in Iran there are 2,000 refugee White Russians; there are just a few that ought to be brought in to indicate that there is a Christian responsibility, and responsibility to think of in line with aliens. For example, in Iran, White Russians, where can they go? What can they do? They can't go back to Russia; they don't know whether they would be admitted to the United States. In answer to the question, How many people have crossed west over the iron curtain, the answer is that it varies from 500 per week to 1,000 a night, mostly East Germans; that in India you have the usual situation of citizens

of Pakistan who are homeless in India; that is, Hindus who fled from Pakistan, and have been living there, and Mohammedans from India driven out who were homeless, and, of course, the homes were absorbed, so there has been no plan of correlating these exchanges of refugees.

Dr. Mackie recently said that we must consider that the situation of these people is due to "the relentless effect of politics on their fate." And Dr. Rees stated that "so long as there is an iron curtain, there will be refugees. So long as there is tension between the great forces, preventive action is a mirage."

In any case, we are now confronted with a total problem of over 14,250,000 refugees of all categories and are faced with a long-range, not an emergency, program.

While there are no doubt other objections, I desire to present four objections to present legislation. I have tried not to go into all the details, but to deal with certain outstanding objections:

I. The basis of computation of the number of immigrants to be permitted to enter the United States is faulty. We are in agreement with those who would determine a percentage of the numbers in the various national groups in the United States in 1950 instead of the use of the year 1920.

II. We raise objection to the limitations of judgment and justice involved where the consular agents are made the final judges and determiners of visa clearance to the United States. There is too much room here for decisions based upon subjective factors, elements that enter into personal views in racial, social, economic, and political matters, and sometimes pressures which may be exerted upon such officers. We believe there should be some form of appeal machinery established before final decisions are made.

III. We object to any discriminatory factors being included in our immigration legislation. All discriminatory elements should be eliminated: race, sex, color, geographical location, and so forth, and I think we should say, especially with this Asian triangle legislation, as it is called, that should be completely rewritten. We think that the factors should be consistent with the fundamental provisions of our Bill of Rights and in harmony with the spirit and traditionally established liberties of America in her magnificent development of more than a century and a half.

IV. We object to the inadequacy of the provisions of the present legislation as applied to individuals subject to exclusion from entry, denaturalization, and deportation. Adequate safeguards are lacking in the legislation which would give to foreigners or aliens the same respect for human personality, for the dignity of the individual and a full and just consideration of their cases before exclusion, denaturalization, or deportation. There is a practical reason too why revision is needed at this point. Whatever may be gained by our good propaganda abroad, it is often offset by persons rejected from citizenship in the United States by unjust, harsh, or by summary rejection in the categories named above, or, let's say, by the discriminations we have suggested above. That point was very adequately brought out by the first witness I heard earlier, who was very expert and had spent a considerable time in the Pacific and the Asian regions.

Mr. ROSENFIELD. You mean Professor Hauser?

Dr. Boss. Yes, Professor Hauser. Thank you.

We, therefore, would recommend that legislation be enacted by Congress which would deal with two major aspects of the responsibility we face: 1. Emergency legislation. This, as the previous speaker suggested, should be only that which is necessary to complete the program which is already in progress. This would include the reception and integration of persons in a program to which our churches and peoples generally, we believe, are in agreement and to which they are committed:

(1) For those who are processed under the Displaced Persons Act, but for whom no visas were available as of December 31, 1951. (2) Provision for an additional number of qualified persons for whom the number of visas provided for by previous legislation were insufficient. (3) The reception of our fair share of "escapees" from behind the iron curtain during the period of January 1, 1949, to December 31, 1952. These persons should be admitted on a nonsectarian basis as a part of emergency legislation.

I am in agreement with those who feel we are dealing with a great human problem, and, certainly these differences should not enter in, and I think that we may reasonably hope that the three large faith groups in the United States, and some others who perhaps don't fall exactly in those categories, might well come to agreement on some solution to this problem, which both Christians and non-Christians alike, I am sure, feel is a moral responsibility and human responsibility, and we must do something about it.

Following this particular section, I believe that generally—by the way, this was agreed upon in New York—I am letting any other groups speak for themselves, of course—I do not represent the National Council, but I am stating here things which were in pretty common agreement in New York when we met 10 days ago. It was generally agreed that what we have stated here—that having done that, we ought to face this long-term problem of the migrant population, consisting of more than the whole population of Canada.

We propose the following:

I. That the basis of the quota system be a reasonably liberal percentage, based on the 1950 figures instead of the 1920. I think it was in Dr. Paul Douglas' speech on the immigration legislation that he called attention to the fact that for a 10-year period, not too many years back, we were receiving pretty nearly a million people—an average of nearly a million persons a year—and we absorbed them, and they came in, and they have been a good substantial part of the citizenship. It, also, in humility might require that we think back to the fact that all of us are the children, or grandchildren, or great grandchildren of immigrants. This Nation was built on the basis of immigrants.

II. That the unused quotas be pooled with special consideration for the admission of members of families still in other lands, uniting them with those members of their family who have already been admitted to the United States.

Commissioner O'Grady. Are you recommending that as part of permanent legislation, or emergency legislation?

Dr. Boss. I think this should be permanent, but it would also apply very definitely to emergency legislation.

Commissioner O'Grady. The emergency also?

Dr. Boss. Yes, sir; because some people would be beyond quotas; some of it would be with reference to people who had come through the regular immigration process within quotas. I would think the general principle ought to apply.

III. Remove all discriminatory provisions: race, color, sex, geographical location, and so forth, especially eliminating the "Asia Triangle," which in its effect upon orientals and southern Asians is a discrimination based upon race and color. We can't afford any longer to continue to pass out to the world legislation and action which is based on racial and color discriminations. We have suffered enough from it at the hands of those who want to use this as propaganda around the world. It has been one of the great weaknesses of our program that we haven't been able somehow to get more positive elements of what we do believe in and stand for across to these other continents.

IV. Create proper administrative machinery for hearings and appeals before final decisions are made in cases of immigration, naturalization, and deportation. We are convinced that it is possible to work out the technical provisions involved on a just basis without requiring the elimination of proper precautionary measures for the exclusion of persons who are hostile to the principles and provisions of the Constitution of the United States.

V. We support the proposal for the placement of responsibility for the immigration functions and operations of the United States under a staff officer of the Department of State (probably of the rank of Assistant Secretary), who shall be responsible directly to the Secretary of State. This would unify the whole operation involved in the consideration by our Government of matters of immigration and naturalization. I think this was pretty well the consensus of judgment of this large group that met in New York.

Mr. Rosenfield. By that, do you mean taking out the functions of the Department of Justice as well, and putting it under the State Department?

Dr. Boss. No. There are certain aspects of this, such as FBI investigations and other things, which, of course, were the Department of Justice, not State.

Mr. Rosenfield. What about the immigration, would that be put under the Secretary of State?

Dr. Boss. So far as immigration is concerned, and the carrying out of these items with regard to refugees. Now I wasn't dealing with the whole problem of immigration, but with the problem as it relates to this whole matter of the reception of displaced persons, expellees, escapees, and refugees, so I am not trying to think through the legal problem there.

Commissioner O'Grady. Would you have one centralized service?

Dr. Boss. One centralized service in all of this; correct.

The Chairman. The way it is written in the statement you have been referring to it seems to apply to all the permanent functions.

Dr. Boss. I think that is true. I confess that this had to be written after I came back this morning. I was in the State Department the last few days, and, as perhaps someone from my office has indicated, I came back just this morning and over here to testify. So I think perhaps a more careful revision of that paragraph might be necessary,

and, also, I do not qualify as an attorney with regard to the legal aspects that are involved here.

VI. We support the proposal for an advisory committee or commission composed of well-qualified, nongovernmental leaders from church and other civilian organizations to work with the staff officer of the Department of State in carrying out the important responsibilities of immigration and care for refugees. You see, I was fairly specific there as to what I meant.

Such an administrative committee represents agencies whose functions are closely related to the development of favorable public opinion, on the one hand, and also to the reception and integration of immigrants into the local communities.

The CHAIRMAN. In proposing that the placement of responsibility for the imigration functions be under an Assistant Secretary of State who would report directly to the Secretary of State, would that not bypass the Under Secretary, and usually the Assistant Secretaries report to the Under Secretary who acts for the Secretary?

Dr. Boss. I think I said "shall be responsible directly to him," but there is a great deal of correlation work which a man in that position would have. I didn't try to work in the detail of the Department's work there, but I realize that there would be a great deal of correlation with the Departments of Justice and Immigration, as it now exists, and other relationships that we would have to carry out.

Mr. ROSENFIELD. Just one question, sir: Your first proposal reads: "That the basis of the quota system be a reasonably liberal percentage based on the 1950 figures instead of the 1920." What did you mean by "reasonably liberal percentage"?

Dr. Boss. I mean one that could perhaps be reviewed, restudied, and would take into account the experience we have had which has gone, certainly, beyond th ability to do, say, 162,000. That reviews the period before 1920 and since 1920, and looks at the current situation of national groups rather than the other, and sets a figure of 250,000, which, you see, was the figure that the group in general—we had some votes on it to show the consensus of opinion, and the majority voted for about 200,000. Some of us were willing to vote for 300,000.

Mr. ROSENFIELD. 200,000 or 300,000?

Dr. Boss. 250,000. There were a few, I think, who didn't want more than 150,000.

The CHAIRMAN. Thank you, sir.

(There follows a letter submitted by Dr. Charles F. Boss, Jr., executive secretary of the Board of World Peace of the Methodist Church, in clarification of his testimony.)

COMMISSION ON WORLD PEACE
OF THE METHODIST CHURCH,
Chicago, Ill., October 10, 1952.

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Executive Office of the President, Washington, D. C.

GENTLEMEN: Two things I should like to make clear following my testimony of yesterday.

First, the consensus of opinion in New York with regard to the number of refugees we were recommending was 250,000 over a period of 3 years, but these were entirely above the quota. In addition, of course, one would have to say that the quota provided for at present is below what we believe should be a minimum. If we take one-third of the 250,000 estimate above the quota and the quota, we come out still approximately as I stated, namely, 250,000 per year

as a total. I do want to make clear that the specific action in New York requested 250,000 over a 3-year period over and above the quotas.

Secondly, may I supplement in writing my reference to the matter of the administration of a refugee program. My point was that it should be operated on a humanitarian and nonsectarian basis, in such a way as to unify the whole process. We believe this should be under the direction of a senior officer responsible to the Secretary of State, with such staff assistants as necessary in the United States and overseas. This unified direction of the refugee program would avoid duplications and complications, and would make the refugee program an integral part of the United States' regular immigration program. It was not my intention to suggest a reorganization of government. I admit, however, that the chairman was in order in raising the question since my paragraph was not sufficiently explanatory and precise to answer his question. I trust that my remarks in answer to his question, however, were fully understood. It was my further thought, as presented in the paper and extemporaneously, that the advisory committee composed of representatives of voluntary agencies would further tend to unify the total program for refugees as well as function in strengthening public support and in securing the cooperation of the community agencies in receiving and integrating refugees.

I will appreciate the attachment of these remarks to my statement of yesterday in order to clarify the two points which were raised.

Sincerely yours,

CHARLES F. BOSS, JR.

The CHAIRMAN. Is Mr. Robert Levin here?

Mr. ROSENFIELD. Mr. Levin, who represents the Illinois CIO, has notified us that he is going to mail a statement to the Commission.

The CHAIRMAN. Our next scheduled witness is Mr. Edward R. Lewis.

STATEMENT OF EDWARD R. LEWIS, ATTORNEY, APPEARING AS AN INDIVIDUAL

Mr. LEWIS. I am Edward R. Lewis, 1138 Hamptondale Road, Winnetka, Ill. I am a lawyer and a member of the American and Chicago Bar Associations and the American Legion. I have been a member of the American Legion since 1919 and I am the post commander of Winnetka Post No. 10, Illinois.

I have a prepared statement I wish to read.

The CHAIRMAN. You may do so.

Mr. LEWIS. In the beginning let me say that in this statement I have earnestly endeavored to speak in the interests of all Americans, no matter when they or their forefathers came to this country. We are all in this country together, and if the result of any immigration policy hurts one group of our people, it hurts all of us. I speak with the kindliest feelings for all law-abiding Americans, of whatever origin, working to advance the welfare of our country.

The enemies of our immigration laws are fond of asserting that those who favor them are discriminatory, even arrogant in their conduct toward more recently arriving Americans. Well, a little story shows that the American of old native stock can testify that there is discrimination against him, too. In fact, on any question involving immigration, I venture to say that for many years a representative of an alien named group will receive far better attention than an American whose people have been here 300 years.

Some years ago, in a large American city, a man ran for an office which called for professional attainments. Yet it was elective. The man is descended from two families whose ancestors came to this country 300 years ago. An alderman of the same political party who emigrated from a country in central Europe, asked him when his

people came to the United States. The candidate said modestly that they came about 300 years ago. The alderman's face fell. Then he brightened. "Well, it won't hurt you none. We'll take care of you. You'll be all right."

The New York Times of October 1 contained a news item stating that Senator Herbert H. Lehman, of New York, in his appearance before this Commission proposed that our immigration laws be amended to increase, as stated in the news item, the number of quota immigrants from 154,000 to 350,000 and that they be admitted "according to a system of 'preference based on individual worth and need rather than on national pedigree.' "

Senator Lehman went on, "Let those who defend the national origins quota system be forced to read aloud the names of the winners of the Congressional Medal of Honor, or to recite the daily casualty lists from Korea—and then let them dare to say that those of one national origin are less fit to be Americans than those of another national origin."

Such a statement saddens me. No one has said or implied that any man is less fit to be an American than another on account of his national origin. But will Senator Lehman say that a soldier descended from a Revolutionary soldier who wins the Medal of Honor is any less worthy than a soldier who came here in 1938? It would seem that Senator Lehman is mentally, at least, scorning the old native stock, not that the old native stock is scorning the later arrivals.

I am in complete opposition to Senator Lehman's proposal and to his point of view as stated in the news item.

Many people talk of selection on individual tests, and attack the quota system as an arbitrary method designed to discriminate against immigrants from central, southern, and eastern Europe, as "wicked," "nefarious," and "vicious."

I doubt whether many of these severe critics know what the quota system is. I doubt even more whether they have given 10 minutes real study to the question of the actual working of so-called tests of individual worth.

We have a total annual quota now of 154,206. Suppose that 2 million people apply for immigration visas. It would be cruel and intolerable to let 2 million people cross the oceans and apply here for admission. In that case, the selection would take place in this country, 154,206 would be selected here and 1,845,784 sent back across the ocean.

Of course, that would never be allowed. The selection must be made at our consular offices all over the world. They might be located in 25 countries with 50 or more consular offices.

The same tests of individual fitness would have to be applied in each of the scattered consular offices. It could not be left to the individual hunches or preferences of our consular offices. There would be no fairness in that.

There might well be 20,000 applications filed in one consular office and only 100 in another. It would be grossly unfair to admit, say, 10 percent at each office. The 100 at one office might be all superior to the 20,000 at the other. Or the 20,000 might all be superior to the 100.

What are the individual tests that we would lay down for the consular offices to follow?

We already have physical tests and have had them for many years. We already require that the applicant show that he will not become a public charge. We already have a literacy test. We already exclude those guilty of crime involving moral turpitude.

Any further individual tests would be merely a judgment as to character. Such judgments are notoriously subject to the prejudices and even whims of the examiners.

Any man who has been through the Army or Navy physical examination knows how subject to error they are. And where examinations are of great masses of people, individual tests of character become simply a mockery.

In short, it is impossible to work an immigration-restriction system without some sort of quota system.

Senator Lehman himself was one of the sponsors of Senate bill 2842, introduced last March 12, which provided for a quota basis. It was the national-origin quota basis, too, the national-origin basis so much abused by the advocates of large immigration. It was the national-origin basis with the figures adjusted to the results of the 1950 census. But it may be safely said that the quotas adjusted to the 1950 census would not be materially different from the present quota figures.

The national-origin basis is fair to all. It provides that each country can send such proportion of 150,000 annual immigration as that country has contributed to our population in all our history. What could be fairer? If, then, a country has contributed 10 percent of our population, it can send 10 percent of our annual quota immigration.

There can be little doubt that many millions of Chinese, great numbers of Japanese, would be eager to come to this country if they were allowed entry. But to let in 10,000,000 Chinese or 5,000,000 Japanese would, of course, create at once a yellow-race problem in our country of tragic proportions.

There is no way of handling immigration where the pressure of numbers is great save by a quota system, and there is no fairer method than the national-origin method.

We are told that we need large immigration to meet our labor demand. At present, there is a great demand for labor. There has been a great demand for labor for 13 years now, ever since the beginning of World War II in 1939. But, if we import labor to meet an unhealthy passing demand, every person brought in would simply swell the unemployed when the inevitable recession comes.

I maintain that the United States can raise its own labor supply. We do not need any immigration to do our work. The best and finest immigration will furnish us all the labor we shall ever need—immigration by American-born babies. If a country of 156,000,000 people cannot furnish its own labor supply, it is rotten to the core. In that case, no immigration can save it.

But we are not rotten to the core. We are sound and healthy. We can do our own work.

It is safe to predict, if we should let in 5,000,000 immigrants now, that it would not be 10 years, perhaps not 5 years, until by the mere increase in births in Europe and Asia we would be told that it would be cruel to shut the gates against 5,000,000 more clamoring for admission.

There is no end to the process until the country is crowded to the limit with a vast overpopulation, a mass of diverse people, with no background in our country.

The figures of those of native parentage under the 1950 census are not yet available. But the 1940 census showed that there are five States where less than 50 percent of the white population is of native parentage.

In 1940 there were four cities of over 500,000 population with less than 40 percent of the white people of native parentage. There were 11 cities in 1940 with from 100,000 to 500,000 population with less than 40 percent of the white population of native parentage.

In the country as a whole, only 71 percent of the white population in 1940 was of native parentage.

Some years ago I heard a United States Director of Immigration recite some of these figures of the proportion of native percentage in some of our large cities. He was born in Germany and was brought to this country when a baby. He cannot, therefore, be met with the favorite charge that he is one of the colonial stock. He said, "Well, gentlemen, I think you will agree with me that these proportions are all lopsided."

His audience seemed to agree.

This, of course, implies no criticism whatever of the foreign-born or their children. But it does imply it is based on the deep conviction that a country is in danger when in five States less than 50 percent and in 15 cities of over 100,000 population less than 60 percent of the people have roots in this country of less than one generation.

Politics and the administration of government, law and the operation of our courts and the prevention of crime, yes, literature, poetry, and the drama and fiction all are prevented from reaching their best development in a country where the people do not understand each other and do not have deep and loving roots in a common past.

There are many indications that we do not understand each other. In our politics, we have had for a generation alien blocs attempting to influence our political action in the interest of their native or ancestral lands. There was tremendous alien-bloc activity in the debate over our entrance into the First World War. Groups with hyphenated names deluged Senators and Congressmen with petitions, letters, and telegrams urging action in behalf of the Kaiser's Germany, and threatening them with reprisal if they did not do as the senders desired. Alien blocs exerted great pressure on the war-debt question, the question of our entrance into the old League of Nations, and on the 1924 Immigration Act itself. Again, in the year and 10 months before Pearl Harbor, tremendous pressure was exerted in behalf of Hitler's Germany.

Our politics have been warped and distorted for more than a generation by the pressure of alien blocs.

Chief Justice Taft said in 1926 that he believed that one of the chief causes of our sorry record in crime and law enforcement lay in our heterogeneous population.

This does not mean—and this I wish to say most emphatically—that the foreign-born and the children of foreign-born are less law abiding than the rest of the population. I find no evidence of that. But it does mean that all of us, native-born of many generations,

native-born of one or two generations, and foreign-born, all alike, are grievously handicapped by our excessive heterogeneity. We do not know and understand each other, and are therefore more likely to quarrel with each other. Juries find it more difficult to come to agreements when they are of entirely different origins.

I think our woeful heterogeneity hampers the development of our literature. Great poetry, fiction, and drama are the spontaneous, happy expression of people who know each other, who have deep loving sources in a common past, as Athens had in the great Periclean Age and as England had in Shakespeare's time.

Lincoln spoke in his first inaugural of "The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over the broad land," which he predicted "would swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature. * * *."

But our "mystic chords" are jangled and confused. They go back in one generation to a score of foreign lands.

You cannot teach a "mystic chord" in the schoolroom.

Our forefathers were wiser than we have been. They did not even believe in immigration. Washington, Franklin, Jefferson, and Hamilton all distrusted immigration.

I do not go as far as they did. But I do believe, solemnly, devoutly, that the time has come to call a halt. Every element of our national ideals calls for lessening immigration, instead of increasing it.

I am a Chicago lawyer, a member of the American and Chicago Bar Associations. I have been a member of the American Legion since 1919 and am a past commander of my post, Winnetka Post No. 10, Department of Illinois.

The CHAIRMAN. Thank you, Mr. Lewis.

Is Mr. Okal here?

STATEMENT OF JAN OKAL, EDITOR, THE SLOVAK AMERICAN

Mr. OKAL. I am Jan Okal, editor of the Slovak American, 485 South Drexel Boulevard, Chicago, Ill., which I represent.

I have a prepared statement to submit, but would like to read two excerpts from it before submitting it for the record.

The CHAIRMAN. You may do so.

Mr. OKAL. In my prepared statement I talk about three groups of Slovak people in America, especially of the group which came before the First World War, and after, and now this new group of political refugees. I would like to read that part whenever I am speaking about these political refugees [reading]:

Whatever the difference is between these two groups in technical ability and the external signs of their Americanization, it is safe to say that in the comparatively short time that both groups have lived in this country their Americanization has been complete. In other words, America has become their true motherland, a land which they love and are proud of, their citizenship in which they treasure; and, with few exceptions, their loyalty to America and to its democratic institutions makes them not only good but exemplary American citizens. In the same way, the private life of these Slovak immigrants may be considered exemplary, evidenced by the firm morale of their daily working-day life, the rapidity with which they first settled and then remained in certain localities, the strength and size of their families, the high ratio of their savings, the ownership of homes and of small businesses and factories, the deep and formal adherence to religion, and, on the other side of the picture, the almost negligible percent of delinquency to be found among them.

Passing, now, to the study of the third group of immigrants of Slovak descent, we see that this group is marked by the characteristics of the earlier two groups, but that, in addition, it has certain characteristics peculiarily its own. This third group is newly arrived and is comprised of political refugees. They have been admitted to the United States on the basis of a special DP bill. Numerically, this group is the smallest, but it is also the most select. It is comprised of people who were the direct and most bitterly persecuted targets of the first onslaught of communism; and, therefore, it is a group representing the best-educated and most politically conscious levels of the Slovak nation.

The CHAIRMAN. Thank you. Your prepared statement will be inserted in the record.

(The prepared statement submitted by Jan Okal, editor of the Slovak American, is as follows:)

Mr. Chairman, members of the Commission, I wish to thank you for this opportunity given me to appear before your Commission. I regard this opportunity as a great personal honor, for I, too, am one of the many hundreds of thousands of thousands whose life has been rescued from certain slavery or death thanks to the immigration policy of the United States Government.

In order to make clear my own view on the problems of the immigration policy of the United States, allow me first to say a few words by way of introduction. I was born and lived and studied in the country of Slovakia, a country which today, not by its size but by reason of its heroic fight against communism, has won the admiration of the whole world; that is to say, of the free world. My profession was that of educator, both as a teacher in school and as a writer and editor engaged in publication. When the war came to an end I knew that my usefulness in Slovakia was over and that any help I hoped to give to my Slovak people would have to come from me as an opponent of communism in the free world rather than as a prisoner of communism in my own country. I chose the alternative, therefore, of exile and all its agony, willing to wait until the day, no matter how distant, when an American visa would at last be mine and would enable me again to open the door to a free life.

Upon my entrance into the United States I thought it my first duty to acquaint myself with the American way of life; and, therefore, I enrolled as a student at De Paul University in Chicago. It was a tribute to me when your great American citizen of Slovak origin—Rev. John J. Lach, of Whiting, Ind., a man who had gathered, as head of the war-bond drive among Americans of Slovak descent, the sum of $100 million in Victory bonds—when this great American citizen invited me to take over the position of editor of the oldest Slovak newspaper in this country, the newspaper known as the Slovak American (Slovak v. Amerike), of which he is both owner and publisher. Just as circumstances had provided me with the opportunity to know by direct experience not only my own country of Slovakia but also many other countries of Europe, so now, shortly after my arrival in America, I was given the opportunity, both through personal contact and the nature of my work as editor, to come to know and appreciate the life of America and the problems facing Americans of Slovak descent of the first, second, and even third generation. By careful observation and study, I have attempted to understand and adopt the spirit of America as my own, that spirit which has made America great and strong and wonderful in the eyes of the whole world.

I am deeply aware of and embarrassed by the fact that I would be abusing the cordial hospitality of this great country, a second homeland to me since my arrival, were I, as yet not its citizen, to speak presumptively upon the questions concerning American immigration law as these reflect the will of American citizens and their elected representatives. However, to the degree that the immigration policy of the United States, based on legislation is, in last analysis, the result of searching study of the sociological, economic, psychological, domestic, and foreign political factors of modern life, I ask you kindly to permit me also to bring to your attention a few matters which have impressed me and which may be worthy of your attention.

My position as editor has placed me in a position where many hundreds of biographies of Americans of Slovak descent have come under my hand. Study of these has brought me to the conclusion that certain of their characteristics stand out and may be considered hereditary traits of the Slovak people. Nevertheless, there is a great difference between those immigrants who belong to what may be called an uncontrolled immigration—namely, that group which came to

America before the First World War—and those immigrants who came here after the First World War, for the latter group was admitted to this country on the basis of a system of national quotas. The quota system itself influenced emigration from Slovakia only quantitatively; that is, it limited the number of immigrants to be admitted without making any provision for qualitative selection. Nevertheless, a qualitative difference between these two groups may be seen in that the pre-First World War group represented for America an addition to its strength in nonskilled labor forces, whereas the second or post-First World War group contributed greatly to an increase of its strength in highly skilled labor. It was not a result of the immigration quota system enacted after the First World War that Americanization—by which I mean the adoption of the American language and of the social habits and democratic traditions of the American way of life—was much more rapidly achieved by the second group than the first. My studies have shown me that the degree of Americanization achieved by this second group of immigrants—a group in its first generation—has reached a level equal to that of the earlier group—a group now in its second generation. The increasing qualitative superiority of Slovak immigration is thus beyond question, and this superiority is directly proportonal and attributable to the progress itself of the land of their origin—of Slovak—in the fields of education, technology, and social welfare.

Whatever the differences between these two groups in technical ability and the external signs of their Americanization, it is safe to say that in the comparatively short time that both groups have lived in this country their Americanization has been complete. In other words, America has become their true motherland, a land which they love and are proud of, their citizenship in which they treasure, and, with few exceptions, their loyalty to America and to its democratic institutions makes them not only good but exemplary American citizens. In the same way, the private life of these Slovak immigrants may be considered exemplary, evidenced by the firm morale of their daily working-day life, the rapidity with which they first settled and then remained in certain localities, the strength and size of their families, the high ratio of their savings, the ownership of homes and of small businesses and factories, the deep and formal adherence to religion, and, on the other side of the picture, the almost negligible percent of delinquency to be found among them, and so on. In the last half-century about 500 churches and the parochial schools and social centers attached to them have been built by Slovak immigrants, and through them have come into being a great number of fraternal and cultural organizations, patriotic groups, and sports clubs.

Passing now to the study of the third group of immigrants of Slovak descent, we see that this group is marked by the characteristics of the earlier two groups, but that, in addition, it has certain characteristics peculiarly its own. This third group is newly arrived and is comprised of political refugees. They have been admitted to the United States on the basis of a special DP bill. Numerically, this group is the smallest, but it is also the most select. It is comprised of people who were the direct and most bitterly persecuted targets of the first onslaught of communism; and, therefore, it is a group representing the best-educated and most politically conscious levels of the Slovak nation. The outstanding characteristic of this group is its militant anticommunism. Since this group, especially upon its arrival, first settled in old Slovak communities, its resolute anticommunism at once stimulated and renewed to greater activity the latent, passive anticommunism of the earlier Slovak immigrants, and it may be asserted that thanks to this third group older Slovak communities in this country were transformed in a comparatively short time into true counter-subversive bastions in which America may place full reliance. This third group of Slovak immigrants in America, in addition to the sentimental and material reasons of other Slovak groups already cited, has reasons both intellectual and political for loving America. Having seen the fall of many European nations, it sees that America is the one and only country in the world healthy enough and strong or capable enough not only yet to save its democratic institutions but also by the very being and symbol of its existence to stand as the hope of new freedom and national sovereignty for the countries behind the iron curtain. This new immigrant group has identified the fate of America with the hope of liberation of its own mother country, and for this reason is ready at all time to work, to fight, and to make any sacrifice for America.

The Americanization of this new group has been amazingly rapid, and many of the new immigrants have entered boldly upon all the fields open to them in business, industry, and cultural activity in America with an even greater courage and confidence—and resultant success—than that of their earlier immigrant countrymen.

It is only natural that the members of all the various national immigrant groups in America should from sentimental reasons seek the admission of the greatest number of new immigrants to their group as possible and that they should, therefore, demand the abolition of the restrictive national quotas in the immigration law. For sentimental reasons, again, there is also the strongest opposition to the possibility of greater immigration. However, there is no country on earth which bases its legislative enactments solely on sentiment, and consequently it may be taken for granted that the immigration policy of the United States shall in the future take into consideration the sum total of the political, economic, moral, intellectual, and spiritual factors that go into all legislation, let alone that of immigration. With due deliberation America shall view the scales to determine how immigration in general and national immigration in particular contribute to American life, and upon discovering the benefits that the latter do bring, open its doors all the wider to great immigrant numbers.

It has been my purpose to try to present in brief the moral, economic, and political benefits brought to America by immigrants from my country of Slovakia. I would be delighted, circumstances permitting, to present the case for Slovak immigration with numerical tables and exact statistics. Unfortunately, the means for such research are not at my disposal. It will be a great honor to me, therefore, if what I have said here will even slightly contribute to the solution of the immigrant problem of the United States and a country already so boundlessly blessed by God. For having been received into America and given a home as a dispossessed political refugee, I wish to express my deepest gratitude and to promise my loyalty as a national until such a time as the law will permit me to become a loyal citizen.

Permit me once again, for this opportunity to present my views, to express my deepest respect for this Commission and to say thank you.

The CHAIRMAN. Rev. Berto Dragicevic?

STATEMENT OF REV. BERTO DRAGICEVIC, EXECUTIVE DIRECTOR, CROATIAN REFUGEE COMMITTEE

Reverend DRAGICEVIC. I am Rev. Berto Dragicevic, executive director of the Croatian Refugee Committee, 4851 Drexel Boulevard, Chicago, which is the organization I am representing here.

I have a prepared statement which I wish to submit.

The CHAIRMAN. Thank you very much. It will be inserted in the record.

(There follows the prepared statement submitted by Rev. Berto Dragicevic, executive director, Croatian Refugee Committee:)

> I do not believe that the matter should remain where the Congress left it.—President Truman.

The Croatian refugee immigrants take this occasion to express their deep gratitude to the President of the United States, the Honorable Harry S. Truman, and to the Displaced Persons Commission, especially Messrs. Gibson, Rosenfield, and O'Connor, for realizing their desire to emigrate to this land of freedom and opportunity. Their interest to aid our remaining brethren in the DP camps in Europe only deepens their gratitude.

In view of the fact that President Truman wishes to know how the new immigrants have adjusted themselves and of what value they are to America, I am happy to give my observations, opinions, and suggestions to this Commission, and at the same time to avail myself of the opportunity to extend my cordial greetings to you.

(A) *Immigration.*—Whether it be according to the quota system or by special legislation, this question is of great importance and concern to America, as President Truman himself asserts, "It is of major importance to our own security and to the defense of the free world." Nevertheless, great care must be exercised as to who and in what manner people immigrate to this country. At no time should it ever be forgotten that very many Communists in various ways emigrate to America. The most dangerous are those Communists behind the iron curtain, which is situated not on the distant border of Rumania and Bulgaria but on the Italian-Austrian borders.

It is my considered opinion that America made two mortal errors in Europe: (1) allowing the Russians in eastern and central Europe; (2) opening her doors to Yugoslav Communist spies, thus affording them the opportunity to poison America. Just lately, the Immigration Office in Washington has issued tourist, visitor, student and similar visas for Yugoslavia. I can state with guaranty that 75 percent of those who receive visas will bring great harm to this country, because they come for one only purpose—espionage. I base my statement on the fact that only true and tried Communists, for the most part young people, can emigrate from Yugoslavia to America, or else their relatives in this country are known for their Communist sympathy.

It is, therefore, my considered opinion that it is of utmost importance to proceed with exacting care in screening applicants than thus far. Again, attention should be focused on the refugees who are in dire circumstances. While it is highly laudable to express concern for overpopulated lands, yet there is the very pressing problem of approximately 26 million displaced persons in Europe, Asia, and the Far East. Overpopulated lands have at least some order within themselves and their inhabitants a domicile, while many a refugee is in a position similar to homeless animals and wander about without the benefit of protective laws.

I realize that it is absolutely impossible for lands overseas to absorb all refugees, especially America, but I do believe they could in a way similar to the Atlantic Pact. In that way perhaps many refugees could realize gainful employment and thus gain economic assurance. It would mean too an immense benefit to the Atlantic Pact for it would branch out into mutual help and cooperation.

(B) *Quota system.*—It is generally agreed that the quota system should be increased and in accordance with the good-will of the democracies, and decrease it appreciably as regards lands behind the iron curtain. At all times the strictest control must be exercised.

It is respectfully suggested that President Truman seek of the United Nations the establishment of an international law that would reunite dispersed families. All will readily recognize this law as one of the most humanitarian of all that govern international relations. Such a law, moreover, would curtail much of the evil rampant in the world today. Dispersed families are among the greatest propagators of communism and grievously harm human solidarity in the world.

(C) *Naturalization of immigrants.*—The age group of the new immigrants percentagewise is as follows: 1 to 19 years is 29.5; 20 to 60 years is 66.8; 60 and over is 3.7 (The DP Story, p. 368).

The greater the number of adult immigrants, the greater the difficulty as to their naturalization. This is readily understandable for immigrants in the past, and regrettably so, did not attach the necessary importance to becoming citizens, or were not able to. It is therefore urgently important that more facile legislation be introduced to solve this unfortunate situation, for there exists a great number of old immigrants who from various reasons, such as illiteracy, never became American citizens, yet heartily desired so—of course only the deserving and those without a criminal record would benefit from such legislation. This deplorable situation has had an adverse effect on the new immigrants, despite the higher rate of literacy in comparison to the past immigrants. By allowing the old immigrants to easily become citizens of the United States, it is my belief, that many difficulties and obstacles will be removed and will place the question of naturalization of the refugee immigrants on a clear and firm basis.

If it is thought that further investigation should be initiated as regards this question, I would be more than happy to offer a more detailed report and concrete suggestions, and with the understanding of the representatives of the various nationalities in this country who have the same thorny problem.

(D) *Exclusion and deportation.*—Laws of exclusion and deportation must remain so long as the possibility exists of dangerous subversives entering this country. In the meantime there exists the problem of those refugees who entered this country illegally. Many and many of these illegal entrants, who fled their native lands to escape the Communist terror, are persons of good moral character and bear a deep and abiding love for America. Under no circumstance can they return to their homes behind the iron curtain. The problem of illegal entry for them, so desirous of residing permanently in this land of liberty, is very pressing and fraught with the deepest anxiety since there exists no law for their permanency of residence in the United States. I trust sincerely that the understanding heart of America will create a consoling law for these unfortunate ones.

In the near past widowed mothers with infant children have emigrated to this country. These sorely-tried mothers find themselves in no position to offer a normal life, as enjoyed by American children, to their offspring, many of whom are ill or gradually falling victims to the ravages of the war. Can any assurance be given of bettering their pitiful lot?

Sad to relate, there exists among refugees on American farms economic dissatisfaction. Because of law wages and long hours many have illegally left their sponsors. It is my opinion that these refugees prefer farm life, even though they are not familiar with American farm methods, if there would be a protective law guaranteeing them a fair, living wage.

STATEMENT OF ROMAN I. SMOOK, VICE PRESIDENT, UNITED UKRAINIAN AMERICAN RELIEF COMMITTEE, AND MEMBER OF LEAGUE OF AMERICANS OF UKRAINIAN DESCENT

Dr. SMOOK. I am Dr. Roman I. Smook. I am an attorney by profession; my office address is 2006 West Chicago Avenue, Chicago, Ill., and I have been practicing for the last 25 years. From 1947 to 1950 I was director of the relief operation in western Europe representing the United Ukrainian Relief Committee of the United States. Through our effort we were able to help resettle in this country about 33,000 Ukrainians, and about 50,000 Ukrainians, displaced persons, through other countries like Canada, Australia, and South American countries.

I am going to read from my notes and it will take me probably 5 or 6 minutes.

The CHAIRMAN. All right, sir.

Dr. SMOOK. I appear here, also, as vice president of the United American Relief Committee, and as a representative of the League of Americans of Ukrainian Descent. Now, the League of Americans of Ukrainian Descent is a strictly Chicagoan organization, comprised of several religious, civic, and educational organizations, about 50 in number. The United Ukrainian American Relief Committee is an organization comprised of about 500 different welfare organizations of the United States, with headquarters in Philadelphia. I do not have a written authorization from these organizations to represent them at this hearing because I wasn't notified in time to secure such written authorization, but I have no doubt that such authorization would have been given in writing.

My organization and I are primarily interested in the welfare of Ukrainian people who need assistance because of the upheaval caused by the last world war. I am also appearing as an American citizen in order to express in a small way my knowledge and experience in connection with the problem at hand. First, we Americans of Ukrainian descent have no argument as citizens of this country with any laws of the country. We are confident that the Congress of the United States is well able to take care of the necessary legislation for this country. In the same sense, we have no argument with the McCarran-Walter Immigration Act. However, since there is a possibility that this act may be amended in the future, may we be permitted to make comments and suggestions as to where we believe the act is deficient, discriminatory against the eastern European and central European people.

If we are to institute a new immigration policy, such a policy should be planned so that it will be elastic enough to serve for a long period

of time and not necessitate a revision for an emergency period, or the satisfaction of political parties in power, or to conform with the changes in the map of Europe. We should also plan an immigration policy with the view of economic, social, and political benefits to be derived by the United States and the security of the United States.

I am of the opinion that immigration brings prosperity to the country. Prosperity in all its phases and the best example of that is the development of our neighbors to the north, Canada, where immigration had been restricted for so long to the so-called Anglo-Saxon race; by the lifting of race prejudice barriers and allowing the influx of immigration, Canada as well as Australia today are seeing an era of economic and social development.

I believe that the Commission will agree with me that with the influx of the so-called displaced persons to the United States that probably close to 400,000 in number, we have collected several millions in taxes, we have sold them furniture, clothing and everything that goes to keep up the family. All this is not putting the money that they earn into the banks where it stays without use, but it is putting it in places where a commerce grows, and that is the reason why I believe that to give opportunity to especially young people of the world to come to the United States will be of benefit not only to them individually, but to us Americans that are living today, and I believe that this country has greatly benefited by such immigration, providing it is put in a human way, if it is not discriminatory. And I believe that the McCarran Act is short of that. It does not really treat everybody alike.

We want to register our protest against the present national origins quota system as it appears in the McCarran-Walter Act. We want to launch our protest against the discrimination between Nordic and middle and southern European people. We want to point out that there is a fallacy in the belief that a certain kind of people are more easily assimilated into the American way of life.

To the contrary, experience has proved that the people from eastern Europe, when they come to this country, have to learn the language, hard as it comes, but they learn it. They learn the habits, the history, culture, customs, and they learn to become assimilated and prove to be fine American citizens.

Further, I shall stress that the 1920 census should not be taken as a criteria. This is especially unfair to the Lithuanian people. Here I would like to state to the Commission that, in eastern Europe, if you look on a map of eastern Europe, there are many countries composed of several nationalities, and I am speaking of one of these nationalities, and I think that if the United States is going to formulate a new policy of immigration it should take that into consideration; that, for instance, a Russian Empire comprises 150 or 160 nationalities, that the Yugoslav has three or four nationalities, that Poland has three or four nationalities—by that, I mean Ukranians, Poles, white Russians, Lithuanians. If we are to be fair and exercise a really broader immigration policy, we should take that into consideration, that all these nationalities should be permitted, according to whatever quota device, to come to this country.

There is one point I would like to stress. That is this: the American Government was a party to probably the most hideous crime that was committed on humanity. By that I mean we were a party to the so-

called forceful repatriation of peoples from Germany and other occupied countries.

Now, in order to escape being executed by the Communists many of these people that found themselves in western Europe had to state that they were born in any place except Russia or any other Communist country. That was the only way, gentlemen, to escape execution.

Now they had several screenings. These screenings as they lived in the camps were probably every week a different one and different organizations, and this and that, and once they stated a place of birth they had to carry that along. Many of them came to this country with such misstatement.

Gentlemen, I have already in Chicago several cases up before the Immigration and Naturalization Department for hearing to determine if these people are subject to deportation. Where would we deport them? I think this is most inhuman. I realize that these officers in this department are exercising their duties; nevertheless, something should be done for these unfortunate people because they escaped.

The CHAIRMAN. Well, what should be done?

Dr. SMOOK. We should pass the law permitting these people to stay. Otherwise, they are now subject to deportation and that is what should be done, except, gentlemen, you just can't shake it off from the sleeve. These things should be thought out, but it is one of the very serious problems we have, as you will find out.

We have already a law for 15,000 people, allowing those who came to this country legally but overstayed their time and are subject to deportation, we had with the Displaced Persons Act something that would permit them—specifically naming them—to stay in this country. I think something of that nature could be devised, and I would be glad to work on it.

The only reason I brought it up is that if we are to present a new immigration law, that such a thing should be taken into consideration, and then I would also lay stress upon giving to the young people of different countries who would like to come to America that opportunity; and also, I want to stress that we should not combine a long-range immigration policy with the emergency legislation. Namely, mortgaging the quotas as we have done now.

The CHAIRMAN. Thank you, Doctor.

Is Mr. Edward E. Plusdrak here?

STATEMENT OF EDWARD E. PLUSDRAK, REPRESENTING AMERICAN COMMITTEE FOR RESETTLEMENT OF POLISH DP'S AND POLISH AMERICAN CONGRESS, ILLINOIS DIVISION

Mr. PLUSDRAK. My name is Edward E. Plusdrak.

I am a lawyer, assistant State's attorney, and I appear today on behalf of the Illinois Division of the Polish American Congress, of which I am the president, and on behalf of the American Committee for Resettlement of Polish DP's.

I have a prepared statement, and I won't impose on your time.

Basically, Mr. Chairman, we share the views expressed by Senator Paul H. Douglas in his monumental speech to the Senate on May 19, 1952. We hope that his views will prevail in the new Congress.

I think that you will give full consideration to the outline of the argument that I have made in my statement and I am going to limit myself now merely to the defects as we see them which are embraced in the present McCarran Act. We believe that the act was conceived in a spirit which is un-American, which is discriminatory and not in keeping with the philosophy of brotherhood that prevails at least in its appearances in the history of America.

Now, basically, we object to the quota restrictions in the present act; and we feel they ought to be flexible enough to meet the requirements as they might appear abroad, and as they might be reflected in the capacity of this country to absorb new immigration; secondly, it is our position that the selection of immigrants should be introduced to a special board charged with formulating and carrying out a national immigration policy, resting upon fundamental principles; thirdly, we strongly believe or observe that the immigration proceedings should conform to the requirements of the Federal Administrative Procedures Act. Thus, that the denial of a visa by an American consul should upon application of an American citizen concerned with the matters, be subject to review by a board of appeals, and thereafter subject to a board of judicial review.

The CHAIRMAN. Have you considered what such a review procedure would entail in the way of time?

Mr. PLUSDRAK. The matters could be expedited. As I see the act now, it completely deprives anyone interested in the matter from having a complete hearing, and it vests the consul with all this authority and discretionary power.

Mr. ROSENFIELD. Have you had any experience with advisory opinions where the consuls forward the case to the State Department for an advisory opinion?

Mr. PLUSDRAK. My experience has been that the consul is the absolute monarch. He decides either way, and there is absolutely nothing you can do about it, and in fact you cannot even inquire as to his basis for it. I think you can always write and you get a response and it says because of some section of regulation so and so the application is denied.

My fourth point, Mr. Chairman, is that deportation should be a matter of judicial review. I think on that point I will stand by this recommendation; and the McCarran act as it is today departs from basic constitutional requirements of fair play in entrusting unlimited authority to the Attorney General. There you have a different situation, of course, because the party is in this country and endowed them with certain rights.

I want to conclude by this statement, that we hope the problem of immigration and naturalization will be reexamined in the light of achievements and considerations of our foreign-born citizens in war and in peace and that the concept of national origin as a quota basis be discarded as an antiracial ideology.

I want to end it with a quip which seems to have deeper implications than it might appear. As one student of the problem wisely observed, speaking on the subject and question of national origin, "The sheep may not be separated efficiently from the goats on the basis of geography."

Thank you.

The CHAIRMAN. Thank you very much. Your prepared statement will be inserted in the record.

(The prepared statement of Mr. Edward E. Plusdrak submitted on behalf of the American Committee for Resettlement of Polish DP's and Polish American Congress, Illinois Division, follows:)

We submit this statement on behalf of some 400 delegates grouped in the Illinois Division of the Polish American Congress, which represents the leading Polish-American fraternal organizations, civic and cultural clubs throughout Chicago.

Chicago is especially a fitting center to hold the hearing for it is a metropolitan area made great by the skill and brawn of the immigrants from many lands. The city numbers over 650,000 citizens of Polish extraction. They, together with the other so-called minority groups, have contributed immeasurably to the political, social, educational, economic and religious importance of Chicago.

Other northern cities, as Detroit, Buffalo, Milwaukee, New York and Cleveland, also have a high percentage of their citizens of Polish descent. But it is not only in the large industrial cities that the immigrant Poles or their children have rendered their contributions, but also in the farming and in the mining areas throughout these United States.

We take this opportunity to pay tribute to President Truman for his genuine concern over the plight of refugees and regarding the problem of achieving fair immigration and naturalization laws. His veto of the McCarran bill, although overridden by an ill-advised Senate, was a fearless and laudable act of fine statesmanship. It is hoped that this Commission will collect important information, receive wide cross-country opinions, and then present its findings and recommendations to the President and to the new Congress to repeal or amend the McCarran Act.

It is not our purpose to review the history or philosophy underlying American immigration legislation. However, it must be noted that too often our immigration and naturalization laws were enacted without a fair evaluation of the pertinent facts and were established contrary to American inherent principles of human decency and individual liberty.

The motley of immigration and naturalization acts and regulations was in sore need of reexamination and codification. However, the recently enacted McCarran Act not only failed completely in this respect but adopted provisions that spell out antiracial bias and threaten our American basic concepts of racial equality.

In substance, the McCarran Act is deliberately designed to curb the flow of immigration to a mere trickle by insidious limitations and restrictions. The act retains the national-origin quotas as an obvious means of reducing immigration from the eastern and southern part of Europe. "That area, where the need is great, is assigned less than 20 percent of the quota. By this infamous device an English immigrant is legislated to be 13 times as desirable as an Italian and 12 times as desirable as a Pole. We repudiate such comparisons and such quotas as unworthy and unwarranted."

Small as are the critical quotas, they are mortgaged to the extent of 50 percent until displaced persons admitted under special legislation of Congress shall have been fully charged off. Thus, the Polish quota of 6,524 is mortgaged 50 percent until the year 1999. Unused quotas in one area may not be transferred to another. Our experience with this device during the last 5 years has been to cut the maximum in half because only a small portion of the quotas assigned to countries in west or north Europe are being used.

About 138 Poles in Europe are seeking admission to this country. Contrast this with the quota of 65,361 for Great Britain and Northern Ireland, immigration from which during the last 5 years averaged little more than 20,000 a year.

Another defect is the requirement that the place of birth rather than the domicile or citizenship of the immigrant determines the quota to which he is assigned. This means that hundreds of thousands of innocent persons transported across Europe by the Nazis and Communists must wait hopelessly for a quota number for the country of origin while thousands of such numbers are available and unused for the country of domicile.

We agree, of course, fully with the principal enunciated by the Supreme Court in the case of *Nishimura Ekiu* v. *United States* (142 U. S. 651), that:

"It is an accepted maxim of international law that every sovereign nation has the power as inherent in sovereignty and essential to self-preservation to

forbid the entrance of foreigners within its dominions, or to admit them only in such cases and upon conditions as it may see fit to prescribe." But as a nation we have matured and must now renounce the Fascist doctrine of racial superiority. We join others in declaring that the immigration policy of our country must be predicated upon these three fundamental principles: First, immigration properly administered is healthy and good for our culture, our economy, and our progress. The introduction of new threads into our national fabric adds strength and resilience; second, the admission of immigrants must reflect a wholesome spirit of international good will, understanding, and cooperation consonant with our foreign policy; third, immigrants admitted to our country must be permitted to rebuild their lives in an atmosphere of peace and tranquillity made secure by democratic principles and judicial processes.

Accordingly, we suggest these corrections in the present immigration law:

1. The total of 154,000 immigrants "permitted" annually by the McCarran Act be doubled in the light of the need abroad and our capacity to absorb at home made so tremendous by the high degree of technological development.

2. The selection of immigrants should be entrusted to a special board charged with formulating and carrying out a national immigration policy resting upon the fundamental principles above outlined. The urgency of the situation rather than any artificial regard for national or racial origin should be of primary concern. The board should have flexible power to set percentages, within statutory limits in the following categories for which priority would be accorded in granting immigration visas:

(*a*) Immigrants seeking to join their families in this country. The principle of reuniting families must apply with equal force to both citizen and alien residents.

(*b*) Persons seeking asylum. Refugees from racial, religious, or political persecution.

(*c*) Persons having special skills, training, and qualifications.

3. Immigration proceedings should conform to the requirements of the Administrative Procedures Act. Thus, the denial of a visa by an American consul should, upon application of an American citizen concerned with the matter, be subject to review by a board of appeals, and thereafter subject to judicial review.

4. Deportation should be a matter of judicial rather than administrative jurisdiction. The McCarran Act departs from basic constitutional requirements of fair play in entrusting unlimited authority to the Attorney General.

The McCarran Act by its stringent, alien, and arbitrary provisions regarding deportation creates a second-class citizenship. "The concept of second-class citizenship collides with the principle of equality before the law and should be rejected. Citizenship, whether acquired by naturalization or birth, should be irrevocable. The sole exception that can be tolerated by a free people is revocation of citizenship acquired through deliberate fraud—not the indefinite concealment of what may subsequently be deemed material. The required evidence must be of such probative force as to leave no doubt on the ultimate issue, and the procedure must be designed to assure to the naturalized citizens the full measure of protection in contesting with so powerful an adversary as his Government."

We hope that the problem of immigration and naturalization be reexamined in the light of the achievements and the contributions of our foreign-born citizens in war and in peace; that the concept of "national origin" as a quota basis be discarded as an antiracial and Fascist ideology. As one student of the problem wisely observed, "The sheep may not be separated efficiently from the goats on the basis of geography."

The CHAIRMAN. Is Mrs. Adele Lagodzinski here?

STATEMENT OF MRS. ADELE LAGODZINSKI, PRESIDENT OF THE POLISH WOMEN'S ALLIANCE OF AMERICA AND SECRETARY OF THE POLISH-AMERICAN WAR RELIEF

Mrs. LAGODZINSKI. I am Mrs. Adele Lagodzinski, president of the Polish Women's Alliance of America and secretary of the Polish-American War Relief, 1309 North Ashland Avenue, Chicago.

I would like to speak about a few points.

The CHAIRMAN. We will be pleased to hear you.

Mrs. LAGODZINSKI. First, to amend the McCarran bill as discriminatory and undemocratic and reducing thousands of American citizens to second-class citizens; second, to raise the quota to allow thousands of those who still remain in Germany through no fault of their own to be able to come to the United States, especially those who have relatives and were able to come on the quota.

As we understand, the Polish quota has been reduced, and there are many here who are able to support the relatives that were left behind in Germany and in Austria.

I have just returned from making a tour of the DP camps in Germany and some of the conditions I found there were deplorable and beyond human dignity, the living conditions. I appeal now to the President's special Commission to correct some of these, probably by amending a bill to allow some of these who are now under the category of tubercular and who have families in the United States, to allow them to bring in these people and take care of them. There are thousands of children left behind in Germany and living under the German economy, citizens of Poland who are practically without a country now. We must make provisions to have them either come into the United States or make provisions to have them settle elsewhere, because, gentlemen, it seems so unfair. We left 60,000—and I am talking for the Polish group—left behind who for no reason of their own were unable to come to the United States, didn't have assurances of housing or work assurances. They can't go back to their country.

Under the German economy the adult gets on the average of $10 a month and the children $2.50 per month. Children under 1 year of age I don't have to tell you that there are no provisions for, and it just doesn't seem fair that these people should be forgotten.

We talked about the expellees yesterday; what provisions have we made in the bill for expellees? I can't understand why that would be a separate category. What would we call these people? They have been taken out of their homes 10 years ago, with the existing law and existing conditions in their own countries they can't return there. We have abandoned them and I really think that I would say pretty bluntly that their blood is on our hands. It is a hopeless case. They have no future and I think we as American citizens should at least take care of the children and the women. We would incorporate and have that incorporated either in special legislation or by amending the McCarran bill; amending the category of the naturalized citizen, amending the bill to allow those who are sick and not capable of taking care of themselves in the camps, but who would have relatives in the United States and who can take care of them here, and allowing the women and children to come into the United States on a special quota.

The CHAIRMAN. Are you talking about Poles, for instance, who are in Western Germany?

Mrs. LAGODZINSKI. Yes; in Western Germany.

The CHAIRMAN. And where were they originally?

Mrs. LAGODZINSKI. In Poland. They were taken forcibly out of their country and brought into Germany and put at hard labor; I am also talking about hard-core cases.

On the other hand today we talk about expansion in Germany. To tell you the truth I was captivated at the beauty of that country. There are millions and millions of beautiful fields where these expellees can

be resettled there in their own country and speak their own language; but what about the Czechs and Yugoslavs and Poles who don't speak the German language? I have been in camps where they had German teachers because Poles didn't provide Polish teachers. I can't imagine of any conditions existing as they are now in these German camps and I feel that they are our responsibility, because we have placed them in the position they are in now. Yet we have many of these DP's who came to the United States who can provide for relatives in Germany and can bring them here. I would say they could bring in 15 or 20,000 of people. There are 60,000 in France, and 65,000 people which are Poles in Germany, for which I think we could make a place in the United States. But we must make some provisions for it. I talked to Mr. Hugh Gibson when I was in Geneva. He was leaving on a trip to South America to try to find places for hard core. They will tell the same story: Why doesn't the United States make the first move?

Commissioner O'Grady. We have taken quite a few, have we not?

Mrs. Lagodzinski. We have, but we are not doing enough; are we going to abandon women and children? We talk about brotherly love. They were taken forcibly out of homes and brought to Germany and put in hard labor. They have seen families of their common enemy assisted with our United States money and Marshall plan and ECA, and I have seen the beautiful buildings and I have seen the housing for expellees, but nothing to do for these displaced persons living beyond human dignity. We talk about portable GI homes. They are palaces to some I have seen.

I only want to talk for a few minutes. Let's reflect, and realize that we have a duty to these people.

The Chairman. Thank you.

Mr. Charles Rozmarek, you are next on the schedule.

STATEMENT OF CHARLES ROZMAREK, PRESIDENT, POLISH AMERICAN CONGRESS, AND PRESIDENT, POLISH NATIONAL ALIENS

Mr. Rozmarek. My name is Charles Rozmarek, I am the president of the Alliance Printers & Publishers, Inc., which publishes the Polish Daily Scholar, the largest Polish daily in the United States, and also publishes Semimonthly Scholar, which has the largest fraternal circulation among the Poles, namely, about 200,000 every 2 weeks.

I am the president of the Polish National Aliens with a membership of 330,000 in 32 States; I am also the president of the Polish-American Congress and I am authorized to speak in behalf of 6-million Americans of Polish descent in this country.

I have a prepared statement I would like to read.

The Chairman. You may do so.

Mr. Rozmarek. The Polish-American Congress, uniting 6 million Americans of Polish descent, has been keenly interested in immigration matters since its founding in 1944. We anticipated that World War II which started with the Nazi invasion of Poland and with the connivance of Communist Russia, would bring on a vast refugee problem affecting not only the Poles, but other peoples who were victims of aggression.

Our organization was among the first to look into problems of Polish displaced persons in Germany. In 1946, I as president of the Polish American Congress, led a delegation on a tour of DP camps in Ger-

many. Our findings there were reported to the White House and to the State Department, and we made recommendations to benefit the displaced persons, particularly the Poles. At this point I wish to add that Mr. James Byrnes, who at that time was the Chairman of the American peace delegation to the Luxembourg Palace in Paris, specifically requested me to make a very careful personal check for him, which I had done and submitted to him. The Polish-American Congress persistently advocated that America admit a fair share of displaced persons. The United States Displaced Persons Act of 1948 was welcomed heartily by us. Our second national convention at Philadelphia, May 30, 31, and June 1, 1948, authorized the organizing of the American Committee for Resettlement of Polish Displaced Persons. We further sought an amendment to the United States Displaced Persons Act, to permit entry into America of 18,000 ex-Polish soldiers from England. And this became an amendment to the DP Act.

Our American Committee for Resettlement of Polish DP's did a very creditable job in helping some thousands of Polish DP's to resettle in the United States. And we are keeping this committee together under the chairmanship of Judge Blair F. Gunther, of Pittsburgh, ready to continue its humanitarian work if and when America again opens her gates to the hundreds of thousands of remaining DP's and the more recent escapees from Communist enslaved countries behind the iron curtain.

During the time the displaced persons came to this country, I had an apportunity to house about 478 persons in my own home. Many of these had assurances which had been filed—naturally they had been signed by the sponsors who had executed these assurances. They had sold their homes or had discontinued their business, and all those persons who had arrived in Chicago without quarters, they went through my home. In fact, I have got about nine of them now, at the present time. In my judgment those people will be very good citizens. Many of the boys have joined the United States forces; some of the boys whom we had brought over have not only fought in Korea and are fighting in Korea, but have made the supreme sacrifice.

The Polish-American Congress is opposed to the McCarran immigration bill. It voiced its disapproval of this unfair immigration bill by a special resolution, adopted by nearly 1,000 delegates at its third national convention at Atlantic City on May 31, 1952.

We pointed out that both the existing and proposed immigration laws were too discriminatory to certain nationality groups, particularly to those from central and east European countries. We advocated that unused quotas for a given year be distributed to other nationals where the need happened to be the greatest. We asserted right along that our nation should not estrange the peoples whom we want on our side in the fight against communism.

In my opinion, there is as flagrant a discrimination against certain nationality groups in the newly enacted immigration laws, as was in the old law. Quotas were and are unfair for many peoples, and particularly in reference to the Poles, who fought so valiantly on our side in World War II. In 1921 the Congress of the United States passed a law restricting the total number of new immigrants to 3 percent annually of the number of the foreign born residing in Amer-

ica as of 1910. In 1924 the law was further amended to admit only 2 percent of those who were foreign born based upon the census of 1890. This immigration law has been unfair to the Polish people, for the past 30 years.

In view of the fact that Poland had been dismembered by Russia, Germany, and Austria, the Polish immigrants in many instances in 1890 were not listed as Poles, but have been officially registered as Germans, Austrians, and Russians, contrary to their will. Moreover, the selection of the census of 1890 as the basis for alien immigration quotas was unfair to the Poles. The greatest Polish immigration to the United States took place from 1900 to 1913.

Now, gentlemen, in view of the fact that the Polish quota under the old law was little over 6,000, that meant that back in 1890 when that number of Poles was taken as the basis for the quota, it showed that there were only at that time about 300,000 Poles in the United States. That was not true. There were a great many more Poles than that, but just as I have enumerated in the previous paragraph, they had been listed under different designations of nationalities.

Now when you come to consider that these peoples, say, after the immigration had ceased to flow from Europe because of the First World War, the number of Poles in this country was considerable, and that was prior to the enactment of this legislation of 1921 as amended in 1924. That is my main point. I don't believe that we should have it on the statute books if we want it to be fair to the groups who have made this country the most powerful Nation on the face of the earth, that we should not discriminate against them. Those people are mighty good citizens. Around 88 percent of the Poles in the country are property owners. They are good, substantial people.

Further, the restriction on eligibility to enter the United States should be tempered, and the process of deportation should be less severe, especially in cases affecting aliens with proven good moral character while living in our country, even though they had entered as illegal immigrants.

How wrong can we be in our discrimination against certain nationality groups is being proved at this very moment in Korea, where DP's from the very countries we label inferior, are dying under the Stars and Stripes alongside native American boys.

It is our hope that the President's Commission on Immigration and Naturalization will succeed in presenting recommendations that will result in remedying all the inequities of our immigration laws so that the true meaning of the welcome inscription on the Statue of Liberty in New York Harbor be recognized again by the downtrodden and the weary peoples of the world.

The CHAIRMAN. Thank you very much.

Mr. ROZMAREK. My recommendation to you gentlemen, is this: let us be fair. Let us treat fairly, on a numerical basis, on the numerical statistics on the people in this Nation. Let us pass a law which will be based upon the actual numbers, not on some fictitious number that had been drawn without any basis of law or reason, in my judgment.

Mr. ROSENFIELD. How can you determine the number of people of Polish extraction, or any other group, who were in the United States as of a given time?

Mr. ROZMAREK. Well, practically every group in this country knows more or less how many peoples of that group are located in this country. How do we determine that? We determine that by the membership in our churches. Not all Poles attend Polish churches. Some of them attend probably a church of their faith which is nearest to their home, but through our fraternal organizations, through our churches, and through our statistics in our fraternal organizations we have a fairly good idea of what the numbers are in this country.

Mr. ROSENFIELD. In other words, would you suggest that the Government look to the nationality groups themselves to determine this factor?

Mr. ROZMAREK. Well, I would suggest that because, after all, they deal in these matters practically every day.

The CHAIRMAN. Thank you very much.

The CHAIRMAN. Is Mr. Armando F. Conto here?

STATEMENT OF ARMANDO F. CONTO, GENERAL MANAGER, FREEZ-KING CORP.

Mr. CONTO. I am Armando F. Conto, representing Freez-King, 6237 North Oak Park Avenue, Chicago. I am the general manager of that corporation.

I represent in a way a group of manufacturers, small and medium, in the executive and manufacturing end of the business on the North Side of Chicago. Since 1950, after Korea, we started to have meetings once a month in order to see if we could help each other in the allocations of materials. Now the problem has come up several times among ourselves that we steal skilled help from each other.

The CHAIRMAN. You steal them?

Mr. CONTO. We steal them.

There are at times some bitter discussions actually. Well, what we do—to give you an example: In my organization, I have been advertising Saturday, Sunday, and Monday, in the Chicago Tribune, big signs, small signs, telling them something else—something, you know, to try to get them there—skilled, expert machinists, tool makers. Well, they don't come. The element that comes there is—well, I tell you, the people that apply are the people that are there on Monday, and then Tuesday are not at work, they go back to the old place, and they get kicked out. That is what we get most of the time.

The CHAIRMAN. Do you get the people that are discharged from other businesses?

Mr. CONTO. I come to that, what we get. There is an unstable element that will not do good anywhere. We get some other help. There is one, as I have now, from an establishment that is on strike—right now the International Harvester Co. is on strike. Oh, yes, we got some. How long will they stay with us? I don't know.

The CHAIRMAN. What are you suggesting?

Mr. CONTO. What we should do. We have been talking here about the quota system and one thing and another, and that's all fine and dandy. But we have to remember, gentlemen, from 1930 to 1939 we trained very few skilled workers—by skilled workers I mean tool makers, die makers, machinists. We did not train them because we did not have enough work for people.

The CHAIRMAN. What are you proposing to us?

Mr. CONTO. I will tell you what I recommend: Outside of the quota from any nationality, to allow the manufacturer who says: "I have advertised for 10 Sundays in the Chicago Tribune that I need some skilled help, I have to produce"—let us import him, we guarantee it for the 5 years it takes to become an American citizen.

Commissioner O'GRADY. How would you select them?

Mr. CONTO. The American consul can screen them.

The CHAIRMAN. How many manufacturers do you speak for?

Mr. CONTO. We are 95. Every month we meet, and have represented 35 to 50, according to the weather. We have dinner once a month together—95 is really the total amount.

The CHAIRMAN. And they employ approximately how many people?

Mr. CONTO. Well, it varies all the way from, I think 25 is the smallest, and the largest would be 300 or 350, something like that.

Commissioner FINUCANE. Have you tried a long-range training program?

Mr. CONTO. Yes. I am glad that you asked me that question, I will tell you: I am afraid you don't have the time, but I would like to do it. It will take me only a minute. Now you know a boy has to be 18 years old before he can work with machines—there is a law about that. Now a long-range training program means they have to start learning the trade, they have to start making a small amount of money per hour. A boy 18 years old would like his own automobile, No. 1. No. 2, he already has a girl friend, and he has to go out on Saturday. They want to work in a garage for twice as much.

The CHAIRMAN. Thank you, Mr. Conto.

Now, we are going to put into the record at this point a statement from Helen B. Jerry, attorney, Immigrants' Protective League, 537 South Dearborn Street, Chicago, Ill. She sent this statement instead of appearing in person.

(The statement follows:)

STATEMENT SUBMITTED BY HELEN B. JERRY, ATTORNEY, IMMIGRANTS' PROTECTIVE LEAGUE

I find many of the provisions of the McCarran Act that are advantageous, therefore, I will only talk about the sections of the act that I think need revising and they are as follows:

Section 203 (a), allocation of visas to quota immigrants: When we give 30 percent of the quota to parents of American citizens, we are depriving the American citizen of the right to have his parents with him. As the law stands now the waiting list in the preference quota requires that a parent wait for a period of from 5 to 29 years. A parent cannot come from Australia, Greece, Italy, Lebanon, Philippines, Portugal, Rumania, Turkey, until he has waited that length of time. Last October the parent of an American citizen arrived from Turkey after waiting 29 years to get here. This provision should be amended to permit an American citizen to bring his adopted child or children, his dependent brothers and sisters who are single, his sons and daughters over 21 who are single and his father-in-law and mother-in-law nonquota. If we take these close relatives out of the preference quota and out of the quota waiting list, we will have no immigration problem.

A great deal has been said to this committee about what should be done with national origins provisions. If we are honest and believe that all men are created equal, we should have no trouble in solving this problem. Our laws as they stand now are the best weapons that the Communists have in showing the racial prejudices, inequalities, and injustices that the American people are inflicting on people of different shade of skin. Take out the close relatives of the American citizen who are now registered in the quota and divide 154,000

quota members equally among all countries and there will be no immigration problem.

Section 249 (2) should be deleted from the law. The act provides that a person may apply for citizenship if he can prove that he was in the United States prior to July 1, 1924, and has remained here continuously since that date to the present time. This is impossible for a person who had been in the United States before World War I, who being a single migratory worker cannot establish proof of residence by work letters or other evidence that he was in this country on July 1, 1924, and lived here continuously to the present time. Therefore, if section 249 should be amended by deleting the provision in (2), cases of this sort will be easily adjusted.

Section 245 (a), adjustment of status of nonimmigrant to that of a person admitted for permanent residence: This section provides that the status of an alien who was lawfully admitted into the United States as a bona fide nonimmigrant and who is continuing to maintain that status may be adjusted by the Attorney General in his discretion. We have in our office at least two to three hundred aliens who were admitted into the United States legally as students or visitors and after staying here for a while married American citizens and have families. When they went to get an extension of their student or visitor's visas from Immigration and Naturalization Service and disclosed that they are now married to American citizens, their student or visitor's visas were canceled and deportation proceedings were started against them. Therefore, under this act, they cannot adjust their immigration status because they are no longer considered as continuing to maintain the lawful status under which they were admitted. You will say that under section 101 (a), No. 27 (A), a nonquota immigrant is * * * spouse of a citizen of the United States and therefore the alien who could not adjust his status under section 245 as mentioned above being nonquota should be able to adjust his status by virtue of that fact and can readily obtain a visa at an American consulate. Prior to the passage of the McCarran Act, the Immigration Service granted an alien in this country in the category of husband or wife of American citizen the privilege of preexamination. This privilege has now been withdrawn, so that although the law gives the spouse of the American citizen nonquota status, it is useless, since he cannot get a visa unless he travels to his native country. We have in our office a Greek husband who is an accountant. He came to the United States as a visitor and married an American citizen and has a child. The family are living with an income of $245 a month. We tried to get permission for him to enter Canada to get a visa and were told that it would be impossible. We tried Mexico, Cuba, Haiti, but no country would give him a visa. He is, therefore, compelled to go back to Greece, but before he goes he must borrow about $2,000 to pay his transportation and to leave sufficient funds with his wife and child to cover their expenses while he will be away from work for at least a period of 3 to 6 months. If section 245 is amended by deleting the underscored clause, "who is continuing to maintain that status," then this husband would not be forced to leave the United States. Or if the McCarran Act is amended to include the privilege of preexamination, then this husband would have little difficulty to enter Windsor, Ontario, Canada, call at the American consulate there, and return the same day with a visa. It is an old maxim of the law that the law will not require a person to do a useless act.

Section 242 (b): "If any alien has been given a reasonable opportunity to be present at a proceeding under this section, and without reasonable cause fails or refuses to attend or remain in attendance at such proceeding, the special inquiry officer may proceed to a determination in like manner as if the alien were present." This provision should be deleted. Section 242 (b) (2) further provides that "the alien shall have the privilege of being represented (at no expense to the Government) by such counsel, authorized to practice in such proceeding, as he shall choose." The part in parentheses should be deleted and amended to read that if the alien is indigent or if he is a person in the low-bracket salary group or is institutionalized the attorney should be furnished by the Government at Government's expense.

Section 281 should be amended. Under section 245, if we go back to the history of the registry procedures, we will find that it was established for the purpose of covering up the errors, inefficiencies, and failure of duty on the part of Government officials in their work. Under the naturalization law, a person cannot become a citizen unless he can prove that he is in this country legally, and to do so he has to have a certificate of arrival. It is the duty of the immigration officers at the port of entry to keep a record of each alien who arrives in this country. Prior to July 1, 1924, it is a well-known fact that records were

kept very inefficiently. It is known that at some ports of entry records were willingfully or accidentally destroyed, and because the Government failed to keep the records the burden of proof is on the alien to prove that he is in this country legally, and after he does this he still must pay $25 to the Government for creating a record. When the Registry Act was passed, Congress arrived at the fee of $18 for certificate of registry to cover the $8 head tax and $10 visa fee that an alien arriving after February 2, 1917, would have to pay, but many of these people arrived when the head tax was only $4. Some other people made a legal entry by paying 5 cents at the border when they enter through Canada or Mexico. To charge these aliens $25 for creation of a record when they were only supposed to pay 5 cents is more than exorbitant. Section 281 provides $25 for appearance fee for an attorney. This seems to be a curious provision, especially in view of the fact that the United States district court charges $2 and the United States circuit court of appeals charges $5.

These are the sections that I believe create undue hardship to aliens and citizens of the United States, and I respectfully ask that they be amended.

STATEMENT SUBMITTED BY MIDWEST CHINESE AMERICAN CIVIC COUNCIL OF CHICAGO

The CHAIRMAN. We also put into the record at this point a statement from the Midwest Chinese American Civil Council of Chicago, 109 North Dearborn Street, submitted by its representative, Gun Sing Wan. Instead of appearing in person he has submitted a written statement.

(The statement follows:)

MIDWEST CHINESE AMERICAN CIVIC COUNCIL OF CHICAGO, 109 N. DEARBORN STREET, ROOM 407, CHICAGO 2, ILL.

1. Section 203. Allocation of immigrant visas within quotas: The present law assigns 50 percent of the Chinese quota of 105 to qualified immigrants of high education and training, 30 percent to parents of citizens, and 20 percent to children and spouses of permanent residents. A bona fide applicant, having the qualifications of eventually becoming a useful citizen but unfortunately does not belong to the three categories, will be excluded. In all fairness, in cases where the annual quota is below 200, we would like to see at least a 10 to 20 percent allocation of the quota to bona fide immigrants who are not within the meaning of section 203 (a), paragraphs (1), (2), and (3).

2. In determining the qualifications of Chinese applicants for admission into the United States under the present law, we would like to see some due consideration given to the following Chinese practices:

(a) Due to the absence of marriage certificate or marriage license in China, an appropriate procedure may be formulated to determine marital status of Chinese applicants;

(b) Due to the absence of birth certificates and death certificates in China, an appropriate and reasonable procedure may be formulated to determine the status of persons claiming to be minor children of citizens or in determining death where the question becomes pertinent. The practice of using blood test to determine kinship in Chinese cases at present has given rise to some hardships among Chinese applicants.

3. In administering the present law, we would like to see some consideration be given to the difference of names in a Chinese individual. This is due partly to the practice of some Chinese to put their surname first. Then in other cases while their surname has already been put as the last name, it is reverted to again by those who know the Chinese custom of placing surname first but without knowing that the position has already been reverted. In other instances, names of the same individual differ on account of differences in pronunciation and spelling and of the Chinese practice of using family name, courtesy name, school name as the occasion requires.

4. In admistering section 241, 242, the power of Attorney General should be defined more concretely in making searches and arrests, bearing in mind the constitutional rights of the individual concerned on the one hand and the effective administration of the law and the security of the United States on the other.

STATEMENT SUBMITTED BY IRA A. LATIMER, EXECUTIVE DIRECTOR, CHICAGO CIVIL LIBERTIES COMMITTEE

The CHAIRMAN. We also have a statement from Ira H. Latimer, the executive director, Chicago Civil Liberties Committee, 5031 Dorchester Avenue. This statement was forwarded in lieu of an oral statement by Mr. Latimer. The statement will be inserted into the record.

(The statement follows:)

CHICAGO CIVIL LIBERTIES COMMITTEE,
Chicago, Ill., October 8, 1952.

Mr. PHILIP B. PERLMAN,
Chairman, President's Committee on Immigration Laws,
United States Courthouse, Chicago, Ill.

DEAR MR. PERLMAN: We respectfully suggest that the President propose to the Congress that the immigration law be changed as to section 23 of the Internal Security Act of 1950, called the McCarran Act.

This objectionable law provides for the conviction of those aliens who are found by the Immigration Service of the Department of Justice to have become deportable and who are not able or do not deport themselves to be arrested and found guilty in a Federal court of the crime of failure to deport themselves and thereupon suffer sentence of 10 years in a Federal prison.

We have recently assisted an alien to apply for a pardon from Gov. Adlai Stevenson, of Illinois, so as to avoid the harsh consequences of this McCarran Act provision—and the chairman of Stevenson's pardon board said that it was not the functions of the State board to temper the injustice, if such it be, of the Federal law.

The case we assisted is an alien, George Horbachek, born in Moscow 50 years ago, who came to this country as an immigrant at the age of 13 with friends but no relatives. He served a 4-year sentence in Indiana for stealing his own car and a 13-year sentence in Illinois for a robbery he denies committing. For conviction of two felonies this alien is subject to deportation—but Russia will not accept a Czarist citizen nor will any other country, so he becomes an undeportable deportee. It is just such a person who must spend 10 years in a Federal prison for being unable to deport himself to any country. We submit this is bad law, if not unconstitutional.

The United States Government is continuing the war in Korea over the issue of refusing to return prisoners of war who do not desire to return to North Korea or China. By analogy the same Government is in this and thousands of similar cases preparing to imprison aliens from iron-curtain countries who are undeportables, for the felony of failure to deport themselves despite the fact that no country will accept them.

Respectfully,

IRA H. LATIMER,
Executive Director.

STATEMENT SUBMITTED BY SAMUEL A. GOLDSMITH, EXECUTIVE DIRECTOR OF THE JEWISH FEDERATION AND OF THE JEWISH WELFARE FUND OF CHICAGO

The CHAIRMAN. Also, in lieu of appearing personally, Mr. Samuel A. Goldsmith, executive director of the Jewish Federation, and of the Jewish Welfare Fund of Chicago, has submitted a statement, which will be inserted into the record at this point.

(The statement follows:)

In order to relate itself to problems presented by immigrants and to the welfare and medical service needs of the Jewish population of Chicago and of the United States, as well as of other countries, the Jewish community of Chicago has created two central organizations for financing and planning purposes. One of them, 52 years old, is the Jewish Federation, which embraces the major local medical and welfare organizations. The other is the Jewish Wel-

fare Fund, 17 years old, which deals primarily with the problems presented by dislocation of Jewish communities or individuals overseas.

The establishment of Jewish central financing and planning organizations is part of a long tradition, going back well over 2,000 years. It has been inspired by the necessity imposed upon the Jewish community as a whole for dealing with needs presented by members of that community, and in dealing from time to time with dislocations and oppressions suffered by various Jewish communities which required assistance from other Jewish communities.

Since 1942, and in order to deal with the results of the grave psychological as well as physical disabilities, indignities, and sufferings imposed upon the Jewish communities of Europe, the Jewish Welfare Fund of Chicago has raised and spent, through various operating organizations, the sum of $42,140,496. In the course of these operations, the funds of the Jewish Welfare Fund of Chicago, joined by funds supplied by many hundreds of Jewish communities in the United States and other free countries, assisted vitally in the migration of many hundreds of thousands of Jews from Europe, the Near East, the Far East, North Africa—to other countries in Europe and to countries where the door was open for immigration—dominantly, of course, Palestine and Israel, Canada, Australia, and Central and South American countries.

To Chicago itself, since 1936, it has been estimated that some 32,000 Jewish immigrants have come. Some, in the first important wave of immigration, from 1936 to 1942, came directly as a result of persecution suffered at the hands of the Nazi-dominated regimes. The second group came in 1943 to 1952, under the established immigration laws of the United States and under the special legislation known as the displaced persons laws.

The agencies of the Jewish Federation in Chicago comprise a children's bureau, a family service, hospitals and clinics, homes for the aged, a vocational service, a tuberculosis sanatorium, community centers, various loan funds, a convalescent home—in fact, an all-embracing welfare and medical service. These agencies are so organized as to emphasize the human needs rather than the institutions as such, and therefore there is a free flow of activity among them on behalf of individuals in need.

The present annual gross budget of these agencies is in excess of $11,000,000 and the deficit applied by the federation this past year was approximatly $4,300,000, of which $1,113,000 is supplied by the Chicago nonsectarian Community Fund. This chain of organizations has, since 1936, been at the service of the immigrants (as it was for many years preceding 1936), in order to help those who did need help to secure such physical and psychological help as would accelerate materially the process of adjustment.

The actual facts would seem to indicate that in spite of the abnormal disabilities suffered by way of deprivation of wealth and by way of exposure to physical hardship by the immigrants whom we have received since 1936, the vast majority of these people made their own adjustment without assistance from our agencies. The earlier immigration—that is, from 1936 to 1942—naturally, was somewhat better off than the later immigration since 1943. Of those who came in the earlier group, some 2,300 families came to our family service for assistance and received assistance that amounted to $521,395. Among the group that came from 1943 to 1952, there were 4,000 families that received service and material help. The assistance granted them amounted to $2,502,315. The total therefore, spent on some 6,300 families was $3,023,710. The average time that they received assistance amounted to 3 months for the first group and 4 months for the second group. There are 201 families still receiving financial assistance. The rest have graduated into the community, and we feel sanguine that the 201 families will soon do so, except for a few hard-core cases that have developed since their immigration. Naturally, some of the people have become ill and some are aged persons who need care.

Our vocational service, our hospitals, our homes for the aged have all joined hands in making this process of adjustment as rapid as possible. Our community centers have dealt with an average of some 700 people in special study classes that supplement the English and Americanization classes of the public educational institutions.

In the past, we had a special department that helped to distribute physicians and others into the smaller communities of Illinois and neighboring Iowa. Between 300 and 400 physicians were resettled among this group. Loan funds have been made available to help set up people in business.

A special group of children brought here originally under the United States Committee for European Children and latterly under the European-Jewish

Children's Aid, which is associated with the United Service for New Americans, have come into our children's bureau. All told, since 1935, 395 such single children—not part of any family—have come. They have been cared for at an expenditure of $331,565. On September 1, 1952, there were still 46 refugee children under care, of whom 18 needed no financial assistance, and even of the 28 who were receiving financial assistance, very few required to be fully maintained by the Jewish Children's Bureau. Many of the children have gone on to college. Many of them have already graduated from college and are working at their chosen professions. Many of them have gone into industry and business as workers. Obviously, on the basis of the facts, they have made a ready adjustment to American life.

All of this work has been approved by the general Community Fund of Chicago, though, except for a slight degree of financial aid one year, it has been necessary for the Jewish Federation to provide the necessary additional funds.

Our Jewish community and its central organizations, as well as its individual institutions, have thus viewed the entire problem of dealing with the dislocation of the Jewish people and, indeed, of other people, as a problem to which, as Americans as well as Jews, we have in a practical fashion responded, both overseas and here at home in our own city. The facts are that a majority of the immigrants of whom we have had knowledge have, through friends and relatives, made their own and very rapid adjustment; that, as a private organization, we have stood ready for 52 years to help those who needed help; that since 1936, we have on this special problem spent approximately $3,355,275 on those children and families that have come to us; that vocationally, and from the standpoint of housing, and from the standpoint of adjustment to American customs and the life of our city, a very rapid adjustment has been made by practically all of these people; that our private Jewish medical institutions and agencies have stood ready and do stand ready to serve such people in their time of need, as we serve other members of the Jewish community and, in our medical organizations, other members of the general community.

The CHAIRMAN. Is Mr. George T. Foster here?

STATEMENT OF GEORGE T. FOSTER, REPRESENTING CONSTITUTIONAL AMERICANS

Mr. FOSTER. I am George T. Foster, and I am here as a representative of Constitutional Americans, 6286 North Louise Avenue, Chicago.

The membership of the organization is roughly about 5,000 or 6,000, some in Chicago, some outside of Chicago in the environs. It is also representative of the thought of a lot of groups affiliated by kinship in spirit and thought.

Now, I am going to make this very brief, Mr. Chairman. To begin with, I am very much in favor of the McCarran-Walter Act. There is only one complaint that I have to make about it: I feel that it is far too liberal. I think it is time we call a halt to this business of dumping people in here, and that we would better spend our time trying to Americanize some of those people that are not fully assimilated. Prior to this act there was the Stratton bill, as I recall. Bill Stratton was then Congressman down in Washington, and he gave his name to that Displaced Persons Act, I believe it was—the 400,000 Displaced Persons Act.

Now, at that particular time there was a lot of feeling for these refugees, so-called, but, particularly, what I think was a small segment of these refugees. There was a great deal of propaganda that had gone on—much of it falls to the effect that 6,000,000 Jews had been killed by Hitler. That, of course, if it were true, would be reprehensible; but, obviously, it was not true. However, it touched the hearts of the people, and made them receptive to this act that was brought in by Mr. Stratton. I recall that distinctly at the time. Prior

to that time Mr. Stratton was not in the favor of this particular minority. He had been denounced by this minority as being an isolationist. Since he brought in that particular bill he has been a fair-haired boy of this particular group, and today we find him running for Governor of the great State of Illinois, with a good chance of being elected.

Now, there was no provision in that Stratton bill to take care of the some 12 or 15 million refugees that were ethnic Germans, these poor people that had been driven before the forces of this Communist cause. Many of them were driven into Dresden. Dresden, as I recall, at that time was an undefended city. While they were pouring into Dresden, the railways filled, the people of the streets walking that city, it was a city of their own kind, their own nation, there was a devastating air raid, a bombing raid took place; in fact, there was a series of three within a period of 10 hours, and I understand there were 100,000 people killed during those raids. The total was considered even greater than that of the dropping of the atomic bomb on Hiroshima.

Now, many of those victims were these ethnic Germans who had been fleeing before the Communists. We made all those things possible, and, still, we did not make provision for these ethnic Germans.

I recall having made a trip down to Washington at one time, and I talked to Senator Paul Douglas, and he proceeded to tell me that the IRO, the International Refugee Organization, refused to process these ethnic Germans, and there would have to be some other provision made. I consider that a very sad state of affairs, because I figured that all should be treated equally just.

I go back further to a period back before 1943. We had been inclined to classify according to race, the racial antecedents. In 1943, Mr. Earl Harrison, who was the Commissioner of Immigration, had that ruling eliminated. Prior to that time, if a man was a Hebrew or a Jew he was brought in under the classification of a Hebrew. Mr. Harrison had that eliminated, and since that time in 1943 there has been no record whatsoever kept of the number of Jewish immigrants coming into this country.

It has been stated at some time or another by Senator McCarran, as I recall—it was considered that there were possibly 5,000,000 of these refugees that came into this country illegally. I recall also having heard a statement by Tom Clark, who at that time was Attorney General, to the effect that there were 1,000 illegal entries into this country.

Now, as far as immigration is concerned in a general sense, I feel it is time to eliminate it entirely for a period that we take inventory; we proceed to Americanize these unassimilated people, and then after much sober thought—that could go on over a period of a number of years—and after much sober thought given to the subject that we go to work and set up a new immigration act.

In the meantime, I would say that the McCarran-Walter bill is eminently fair and has been very considerate of all elements concerned. I have taken particular note of the fact that the objectors to the McCarran-Walter Act in large measure have been the so-called liberals; among them, Senator Lehman, of New York; Senator Humphrey, of Minnesota; and then there was Frances Bolton, of Ohio. These people have been yapping at the immigration forces, and

they have been yapping at the State Department, because of some of the provisions of the McCarran-Walter Act that have already been invoked.

One particular provision involved the designation of the race of an individual when they made application for a visa, and these so-called liberals felt that that was very, very unjust, and under these circumstances if a man was a Jew, and he put down there that he was of the Jewish race, that it would discriminate against him, and it would provoke and be a potential for anti-Semitism. However, I do not agree with their viewpoint, because by the same token if a man were a German that same discrimination could be used against him, or if he were an Arab, or if he were a Swede, or an Irishman, or a Greek, or an Italian, or one of any other nationality. Certainly, there is nothing inappropriate about designating the race of an individual.

Now, in conclusion, gentlemen, I feel that it is time, as I say—I repeat myself—I feel that it is time to take inventory and in the best interests of this country that we appraise the circumstances that exist here before we dump any more of these people into our country.

In the past, there have been a lot of refugees loaded in here. Provisions seem to have been made for them; they got jobs, they found a place to live, when our returning soldiers couldn't find a place to live. I have seen instances where our returning soldiers couldn't get an apartment for love nor money, and these refugees could get an apartment.

Now, don't forget, I have great feeling for a lot of these people that have been dispossessed. I feel that many of them have been dealt with very unjustly, and through forces beyond the control of themselves they have been pushed about and made wanderers over the world. But, however, I don't believe that thought should be employed with one particular group. I think we should embrace the whole. And, as I say, when it comes to making any of these quotas, considerations should be taken of all of these refugees, so-called, and, on the other hand, in the meantime I would say that we should not have any immigration whatsoever for the time being, and that we should set about to assimilate these people that have come into our midst, these recent arrivals.

Thank you very much, gentlemen.

The Chairman. Thank you, sir.

Mr. Rosenfield. Mr. Chairman, may I request that the Chicago record remain open at this point for the insertion of statements submitted by persons unable to appear as individuals or as representatives of organizations, or who could not be scheduled due to insufficient time.

The Chairman. That may be done.

This concludes the hearings in Chicago. The Commission will be adjourned until we reconvene in St. Paul, Minn., at 9:30 a. m., October 10, 1952.

(Whereupon, at 5:07 p. m., the Commission was adjourned to reconvene at 9:30 a. m., October 10, 1952, at St. Paul, Minn.)

(Those submitted statements follow:)

STATEMENTS SUBMITTED BY OTHER PERSONS AND ORGANIZATIONS IN THE CHICAGO AREA

STATEMENT SUBMITTED BY T. OTTO NALL, EDITOR, THE CHRISTIAN ADVOCATE, CHICAGO, ILL.

THE CHRISTIAN ADVOCATE,
Chicago, Ill., September 26, 1952.

Mr. HARRY N. ROSENFIELD,
Executive Director, Commission on Immigration and Naturalizatiton, Washington, D. C.

MY DEAR MR. ROSENFIELD: I am sorry that I shall not be in Chicago on October 8 and 9 and therefore shall be unable to attend the hearing on immigration and naturalization. I am enclosing, however, a statement which I should be glad to have made a part of the record if it is in accordance with your plans.

Very truly yours,

T. OTTO NALL, *Editor.*

STATEMENT OF T. OTTO NALL, EDITOR OF THE CHRISTIAN ADVOCATE

The churchman, given to idealistic thinking and humanitarian activities, can list many reasons why refugees from Nazi, Fascist, and Communist tyranny should be admitted to the United States. These newcomers come because they want to regain the freedoms they have lost; they seek to reestablish their lives under conditions of peace and promise. And here they exchange hopelessness for hopefulness, homelessness for the blessed state of being at home. Helping them and welcoming them is one of the prime opportunities of Christian citizens.

But there are sterner and probably more selfish reasons why we believe that the United States ought to adopt not only a policy of justice and mercy but one of cooperation in a program of mutual assistance through immigration. Our own political and economic security is dependent on the well-being of the whole world. Enlightened self-interest demands that we have a consistent and forward-looking policy of cooperation with other nations in meeting the needs of displaced persons, refugees, and surplus populations.

Therefore, any action by Congress that would hinder or diminish the work of international agencies, or United States participation in them, should be opposed. On the other hand, the adoption of immigration and naturalization laws that take into account existing conditions in a world that is overpopulated in some parts and underpopulated in others is destined to benefit us economically as well as adding to our moral stature in the eyes of other nations. We have had enough of temporary, emergency legislation. We need a consistent, carefully wrought policy that takes account of our best interests in the long years ahead.

I would favor making the quota system more flexible so that those quotas not used or little used could be pooled with others, making it possible for families to be reunited, for immigrants to come with the skills we need, for asylum to be offered to more victims of totalitarian regimes.

Furthermore, it seems to me incumbent on Congress to abolish, within the quota system, not some but all discriminatory provisions based on color, race, or sex.

Congress should establish a plan and program for hearings and appeals concerning the issuance of visas and deportation proceedings. Obviously, precautionary measures are necessary. We must keep out of our country those who would destroy its principles and undermine its institutions. But there is no excuse for compromise with the un-American methods of suspicion and distrust and injustice.

The proposals for a representative commission of outstanding Americans to study and survey the basic assumptions of our immigration policy, the quota

system, and the effect of present immigration and nationality laws seems to me sound and promising, especially when the commission is bipartisan and constituted of members from private as well as public life.

STATEMENT SUBMITTED BY O. A. GEISEMAN, PASTOR, GRACE LUTHERAN CHURCH, RIVER FOREST, ILL.

GRACE LUTHERAN CHURCH,
River Forest, Ill., September 26, 1952.

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Executive Office, Washington, D. C.

(Attention: Mr. Harry N. Rosenfield, executive director.)

MY DEAR MR. ROSENFIELD: This is to thank you and the members of your committee for your gracious invitation to appear before you at your Chicago hearings on either the 8th or 9th of October.

While I am not familiar with all of the technical problems involved in the matters pertaining to immigration and therefore would not be likely to present new angles which would be helpful to your committee, I do want to lend my support to the very worthy humanitarian cause of providing a new home and new hope for some of the poor people who have lost their homes and become displaced persons.

It seems to me that, from an economic, a political, and most particularly a moral and spiritual point of view, it is imperative that America should share its great treasures in all three areas with those who are quite completely destitute, and that we should not permit mere greed and selfishness to rob our country of a great opportunity for well-doing, which it now has. As one who believes in the overruling power of God, I cannot but feel that we would be inviting divine blessing for America for the days of our children and children's children if we were now to open our doors to the homeless to the largest possible degree consistent with the welfare of those now constituting our citizenry.

Wishing you and your committee well, I am,

Respectfully yours,

O. A. GEISEMAN.

STATEMENT SUBMITTED BY JERRY VOORHIS, THE COOPERATIVE LEAGUE OF THE UNITED STATES OF AMERICA, CHICAGO, ILL.

THE COOPERATIVE LEAGUE OF THE UNITED STATES OF AMERICA,
Chicago, Ill., October 1, 1952.

MR. HARRY N. ROSENFIELD,
Executive Director, President's Commission on Immigration and Naturalization, Washington, D. C.

DEAR MR. ROSENFIELD: This is in answer to your letter of September 27 and is necessarily an expression of the writer's opinions rather than those of this organization since I have not had an opportunity to clear the matter with my board of directors, and will not have until after your hearings have taken place.

I shall only, therefore, state some very general views about our immigration program. I feel, in general, that it is necessary that there be some reasonable limitations on immigration into this country. I believe, however, that the present law is much too severe and much too restrictive with respect to immigration from the very parts of the world which have the greatest need to send a reasonable number of new citizens to this country.

Particularly do I feel that there should be some consideration given to the plight of people who have escaped from behind the iron curtain and thus risked their lives to try to get out from under Communist domination and into the free world. I feel that our whole program of trying to build the strength of the forces of freedom around the world depends upon a sensible, reasonable immigration program along the lines I have generally indicated.

Sincerely yours,

JERRY VOORHIS, *Executive Director.*

STATEMENT SUBMITTED BY WILLIAM A. FUZY, REPRESENTING THE AMERICAN HUNGARIAN FEDERATION

EAST CHICAGO, IND., *October 7, 1952.*

HON. HARRY N. ROSENFIELD and PHILIP B. PERLMAN,
Executive Directors, President's Commission on Immigration and Naturalization, Chicago, Ill.

DEAR MESSRS. ROSENFIELD AND PERLMAN: No doubt you have been advised that I represent the American Hungarian Federation, with offices in Washington, D. C., and that I am also representing the Americans of Hungarian descent in submitting to you on behalf of said federation and the Americans of Hungarian descent our observation, objections, and suggestions with respect to the immigration policy, law, and procedure to be enacted for consideration by the Congress with respect to appealing or amending the McCarran-Walter immigration law.

May I respectfully request the perusal of the attached and enclosed correspondence and observations in the matter of the application of one George Kostka to be admitted to the United States as a displaced person, concerning which I have had correspondence with our Congressman, Mr. Ray Madden, and he with Mr. H. J. L'Heureux, Chief, Visa Division, file No. VD 150, Kostka, George, dated August 26, 1952. The copy of the letter to Congressman Madden speaks for itself, which I am attaching as an exhibit.

May I respectfully offer the following with reference to the admission of immigrants into this country:

1. The same should be strictly scrutinized as to connection with either membership in the Communist Party with respect to membership and/or relationship with Communists.

2. The admission of immigrants into this country in the light of our present and prospective economic and social conditions.

3. The change of policy wherein the consul should not have the final decision as to the admission or rejection of the applicants for admission.

4. The applicants of Hungarian descent should be classed and have the same privilege of the applicants of any other nationality, including the nationals of Great Britain and of western European countries for each of the following reasons to wit: See the attached objections, observations, and suggestions.

Thanking you to give this your kind consideration and requesting your indulgence to personally file this because of my inability to be present, as I have a jury trial in which I am engaged at Valparaiso. Ind., which makes it impossible, much to my regret, to have the pleasure of meeting you.

Very sincerely yours,

WILLIAM A. FUZY, *Attorney.*

EAST CHICAGO, IND., *September 5, 1952.*

In re VD 150 Kostka, George.

HON. RAY J. MADDEN,
Member of Congress,
Federal Building, Hammond, Ind.

MY DEAR CONGRESSMAN MADDEN (RAY): It goes without saying that I was keenly disappointed at the contents of your August 29 letter which contained the enclosure of Mr. H. L'Heureux, Chief, Visa Division, in the above matter.

Knowing that you have considerable influence in the State Department, and that possibly we have not fully explained the status of the applicant, George Kostka, to be admitted to the United States, permit me to give you a résumé of the facts, viz:

(*a*) Mr. Kostka was forced to flee from his home to Austria together with his parents because of his political faith; therefore, he became a displaced person. Arriving in that part of Austria under our (American) jurisdiction.

(*b*) While under the American jurisdiction he claimed protection but for some unknown reason the authorities surrendered him to the Russians who returned him to Hungary with intentions of deporting him to Russia.

(*c*) That he escaped from the train bearing him to Russia and through devious ways and means arrived in Austria but in that section held by the French who protected him on condition that he join the Foreign Legion, and was permitted to enter France. Meantime his parents were enabled to and did get passage to America and of course are now domiciled here.

(*d*) After serving in the French Army and before he entered the service he made application for a preferential visa as a displaced person from the American consul in Paris. The mere fact that he couldn't prove his eligibility for consideration under the Displaced Persons Act should surely not be such a cause to bar him from the benefits thereof. How could the Embassy expect him to prove his status. You, dear Ray, surely agree with me that the Embassy could have checked his statements made to them very easily if they were not convinced.

(*e*) The mere fact that Mr. Kostka is an engineer and was an exporter, together with his father, of fruits to different countries in Europe should in our evaluation of persons be a credit and not a determent which would be the case of the Russians.

I would respectfully ask that with these added facts, you would please bring your personal influence to bear on these matters. Thanking you on behalf of myself and on behalf of the anxious parents of the applicant, I am, as ever,

Sincerely yours,

WILLIAM A. FUZY, *Attorney.*

OBSERVATIONS, OBJECTIONS, AND SUGGESTIONS

1. Applications of immigrants to be strictly scrutinized

Every applicant should prove by satisfactory evidence to be permitted to obtain visa and entry to the United States that besides being of good moral character and having no physical disability making his support questionable, that applicant should not have direct or indirect connections with any party whose principles are opposed to the form of our government, these the United States of America.

2. Admission to be subject to our country's economic and social conditions

The applicant should be able to furnish a more strict affidavit of support to which a bond sufficient to indemnify the United States and/or its subdivisions, viz: State, county, and township, in case the immigrant should become a public charge.

3. Amending the authority of consul as to power of decision

If the application of immigration is denied by consul a board of appeals should be established in Washington to which the applicant or the representative could rightfully appeal the decision of the consul.

4. Hungarian nationalists immigrants to have equal rights with others

The Hungarians have always been a liberty-loving race as is evidenced by their Golden Bulla, their written constitution, the bill of rights, the oldest on Continental Europe signed in 1922, only 7 years after the Magna Carta, and may I respectfully state that the Golden Bulla was not forced from the ruling house but it was voluntarily granted. The continuous warfare of the Hungarians are also witnesses to their love of freedom as for instance their 150-year war against the Turks wherein they saved Christianity which was acknowledged by Pope Calixtus July 22, 1456, by the ringing of all Catholic Church bells, even to this date. Of course, you know that some 200 years previous they first saved Christianity when they crushed the Tatar invasion led by the terrible Genghis Khan. The struggle with the Turks so weakened the nation that it was forced to invite the peoples of the neighboring countries to settle the country as the Hungarians were decimated. In addition their continuous warfare against the greatest autocratic power in Europe, the Hapsburgs, which forced so many thousand of Hungarians to flee the country in 1711, emigrating with Bercseny to France with their magnificent cavalry formations, the Hussars. It is these same cavalry formations of the Hungarians known as the Hussars in Hungarian, that we have this day and erroneously credit the French with. No doubt you know that many of the descendents of these Hungarians joined Lafayette and partook in our Revolutionary War of 1776, and undoubtedly know that one of the most able and trusted officers of General Washington was Colonel Kovacs, who sacrificed his all in the defense of Charleston, S. C., May 11, 1779.

After the magnificent struggle for freedom by the Hungarians against the Hapsburgs in 1848, which struggle was brought to a close by the joining of the greatest tyrannical powers of the age, viz: the Austrians and the Russians, many of the Hungarians including their great leader Louis Kossuth emigrated to the United States. Kossuth's farewell prayer equals in beauty of language and depth of feeling our great martyr Abraham Lincoln's Gettysburg Address. Permit

me to respectfully draw your attention to the fact that the immigration of Hungarians to America began by the Kossuth exiles, and that the Congress of the United States offered to Kossuth and his followers, no doubt with the expectation that they would settle here permanently, a new home. Kossuth's letter addressed to President Tyler and Secretary Clayton was indeed an utterance of a real patriot, when he wrote as follows: "It is in the free soil of North America in which I would wish to rest in eternal peace, if my bones could not mingle with the soil of my beloved homeland."

When the Civil War broke out in 1861 there were approximately 3,000 Hungarians in the United States and their love of freedom was so great that they were not willing to settle in slave States. The only exception was the slave State of Missouri which in the Civil War fought on the northern side, and it was in St. Louis that in January 1861 the organization of the National Guard was begun by two sons of a former director of a munitions factory in Nagyvarad, Hungary, and former officers in the war of Independence of Hungary viz: Robert and Roderick Rombauer. In addition to the exploits of the Rombauers who has not heard of Charles Zaganyi, major of the Fremont Body Guards and his death ride at Springfield, Mo., on October 25, 1861. Because there were not very many Hungarians in America, it was not possible to form separate regiments, yet we find that Gabriel Koprony became colonel of the Twenty-eighth Pennsylvania Volunteer Infantry Regiment and in a letter to Secretary Crittenden in 1858 offered the services of 100 hand-picked men in the coming struggle. We find further that the Twenty-fourth Illinois Volunteer Regiment was led by a Hungarian, Geza Mihalotzy, and it was at the latter's request for permission that the said regiment later became known as the Lincoln Riflemen in which regiment many Hungarians served and died.

It is also common knowledge that in addition to the foregoing Hungarian leaders of the Civil War, the commander of the Guard of Honor accompanying President Lincoln to dedicate the battlefield at Gettysburg was no other than Gen. Julius Stahel-Szamvald who also gave his service for the cause that the Union should forever stand. For his services he received the Congressional Medal of Honor. Another eminent leader of the Union, Gen. Alexander Asboth was a Hungarian whose exploits were mentioned time and time again in the cause, who was appointed major general by brevet for his meritorious services on March 13, 1856, and who upon his retirement from active service forced by the injuries received in battle, received an official letter of farewell from General Granger.

In addition to the above and foregoing illustrious patriots we find Col. Nicholas Perczel organizing the Tenth Iowa Volunteer Infantry Regiment and becoming its first colonel. Another prominent patriot was Brigadier General Pomutz helping to organize the Fifteenth Iowa Volunteer Regiment, becoming commander of the Third Brigade under General Sherman, being wounded a number of times and was deservedly called the most popular officer in his regiment.

I do not want to unduly extend the exploits of Hungarians in the Civil War as there were numerous Hungarian officers and men who gave their services and lives in order for the Union to stand.

May I here state that the Hungarians gave more manpower to the Union than any other nationality (per ratio).

I shall, in addition, recite a few names who gave greatly to and made valuable contributions to civilization as a whole.

We have some data to prove that George Torok Kalmar was one of the earliest explorers to the North American Continent in the year 1638.

Sandor Korosi-Csoma explored Thibit and was the writer of the first dictionary of that language. Ignac Goldzhier earned world fame with studies in Islamic theology and philology. Aurel Stein and Armin Cambery rank high among the explorers of Asia. One of the living Hungarian Nobel prize winners is Albert Szent-Gyorgi receiving his highest scientific distinction for his vitamin research. In the field of inventions we have such names as Janos Irinyi, inventor of the phosphorus match. Anyos Jedlik constructing the first electric motor in 1827. Next invention was the dynamo, both were constructed before those of Siemen. Jozsef Koszta constructed the first machine gun. Kalma Kando inventions in machinery. Dr. Ignac Semmel-weis, the benefactor of mothers.

In the field of literature we find that the Hungarians in the earliest days wrote in the Latin but that the nineteenth century is the golden age of Hungarian literature where we find such names as Kolcsey, Katona whose greatest work is "Tragedy of Bank Bon". Arany, the epic post of Hungary. Petofii, one of the greatest lyric poets of the world. Imre Madach, master work being "The Tragedy of Man". Jokai and Mikszath, two novelists of world fame. Endre Ady,

one of the greatest modern Hungarian poets. Gardony, Herczeg, Zilahy, and Ferenc Molnar, geniuses of the drama today.

In the theater we find such names as Alexander Sved, Margit Bokor and Enid Szantho, and Enid Szantho, all of the opera. There are numerous talented Hungarian actors, directors and producers of the day (Korda, Michael Kertesz Curtiss, Fejos Bolvary, Pasternak, Pascal, Biro). Some of the works of the above are "Henry the Eighth," and "Scarlet Pimpernell".

In the field of music we find the name of the immortal Liszt, Hubay, world-famous teacher of the violin. Bihari, Dohnanyi, composer of the Ruralia Hungarica, the opera Tower of Voyvod and Kalman, who have given us world known and delightful operetta. We have the two greatest living composers Bela Bartok and Zoltan Kodaly.

In the field of fine arts we find such names as Albert Durer also of Hungarian parentage. Benczur, a painter of realism and naturalism. The great Munkacsy, the best liked and the best paid painter of the eighties in Europe, his best known works being "Christ Before Pilate" Eccehomo, "Blind Milton Dictating Paradise Lost," etc. In addition there is Laszio Paal, Istvan Csok, Joseph Ripple-Ronai. In addition, Hungarian portrait painters became internationally famous, Arthur Halmi in the United States, and Phillip Laszlo in England.

In the field of sculpture we meet with such names as Iszo, Strobel, Lux, Patzai, etc.

In the field of architecture we find the following names: Jozsef Vago, builder of the palace of the League of Nations, and Mohaly Nagy, Rerrich, Lajtha, etc.

In the field of religion the Hungarian Diet Torda in 1571 proclaimed the free exercise of all religious beliefs before any other nations and gave birth to unitarianism, David of Hungary the founder.

I trust that I have not burdened you with the above and foregoing but I do hope that I have in a small measure brought to your attention facts that might help in the evaluation of the Hungarian nationals applying for entry.

Requesting the filing of the within, with kindest regards.

Respectfully submitted.

WILLIAM A. FUZY,
Representative of Americans of Hungarian Origin in Indiana.

STATEMENT SUBMITTED BY THE EXECUTIVE BOARD OF THE NATIONAL ALLIANCE OF CZECH CATHOLICS, CHICAGO, ILL.

NATIONAL ALLIANCE OF CZECH CATHOLICS,
Chicago, October 8, 1952.

THE PRESIDENT'S COMMITTEE ON IMMIGRATION AND NATURALIZATION,
Executive Office of the President,
Washington 25, D. C.

GENTLEMEN: The executive board of the National Alliance of Czech Catholics asks consideration of its following views on the immigration policies as now contained in the McCarran bill.

We consider the bill unfair to the nations of central, eastern, and southern Europe. The national origin quotas are established on the basis of immigration at the end of the last century. However, since then, the complex of the population of the United States is such, that it seems disproportionate to us, to keep the former basis of assignment for new quotas.

Furthermore, the quotas assigned to Great Britain and the northern countries are not fully used up. In our judgment, no harm would be done to anyone by making the surplus of such unused quotas accessible to those nations whose immigration is restricted so very much.

In a memorandum addressed to the Judiciary Committee during the hearings on the McCarran bill we pleaded that the Czechoslovakian quota be raised in the new law to approximately double of the numbers allotted to Czechoslovaks under the old arrangement. We respectfully repeat this plea.

We also would like to add an appeal for a new special legislation permitting, by way of an exception to the national quotas, new immigration from the overpopulated sections of Europe, such as, Germany, Austria, and Italy, and also, from among those refugees who had to flee their fatherland because of religious or political persecution.

We are convinced that overpopulated Europe will be a continuous source of trouble not only to themselves, but also to the United States. Our country, by relieving the pressure to the limits of her ability, would make a contribution to alleviating the sufferings not only of the expellees and the refugees, but also to the diplomatic problems of the leaders of interested nations.

In our opinion, the economy of our country is such, that the additional immigration would not bring economic difficulties to any of our citizens.

We again respectfully ask that these few suggestions from us be given thoughtful consideration by the members of the President's committee.

With best wishes, we remain

Respectfully,

REV. MARTIN A. KRIZKA,
Chaplain,
JOHN W. VOLLER,
President,
JEANNETTE F. KRIPPNER,
Secretary.

STATEMENT SUBMITTED BY RYOICHI FUJII, EDITOR, THE CHICAGO SHIMPO, CHICAGO, ILL.

THE CHICAGO SHIMPO,
THE CHICAGO JAPANESE AMERICAN NEWS,
Chicago 15, Ill., November 7, 1952.

Mr. PHILIP PERLMAN,
President's Commission on Immigration, and Naturalization,
Executive Office, Washington, D. C.

DEAR MR. PERLMAN: May I call your attention to the letter which was printed in the September 13 issue of the Chicago Shimpo. The writer of the letter is Dr. S. I. Hayakawa, a well-known semanticist. I feel it is significant that the letter was written by a Japanese descendant, although Dr. Hayakawa is a Canadian citizen. It is also significant that I happen to know several Japanese Americans who have expressed a similar opinion toward the McCarran-Walter immigration and naturalization law.

"In a letter to Tahei Matsunaga, chairman of the JACL-ADC fund drive, S. I. Hayakawa, well-known author and lecturer in the field of semantics, sharply criticized the organization for its support of the recently enacted Walter-McCarran immigration and naturalization bill.

"Hayakawa, who returned to Chicago about a week ago after lecturing at San Francisco State College this summer, stated:

" 'I have been happy to contribute to this fund in the past, but I am not contributing this year for the following reasons:

" 'I believe that whatever pressure JACL-ADC exerted to bring about the passage of the Walter-McCarran Act and the overriding of the Presidential veto of the bill was a profound disservice to all immigrants, second-generation immigrants, and naturalized citizens. To secure the rights to naturalization of Issei at the cost of all the questionable and illiberal features of the Walter-McCarran bill appears to be an act of unpardonable short-sightedness of cynical opportunism.

" 'The naturalization of Issei need not have been purchased at this tremendous cost. A year and a half ago the House unanimously passed a bill (H. R. 403) which would have enabled the naturalization of Issei. This bill was simple and straightforward—only 16 lines long. Senator McCarran appears to have bottled up this bill and to have permitted its passage only as a part of his measure which consisted of 302 pages, of highly controversial and ambiguous material.

" 'I am afraid the Antidiscrimination Committee has not lived up to its name. It has purchased the removal of one small discrimination at the cost of legalizing the continuance of many other forms of discrimination, and the creation of a number of new forms of discrimination against foreign-born and second-generation citizens of all ancestries,' Hayakawa concluded."

Sincerely yours,

RYOICHI FUJII, *Editor.*

STATEMENT SUBMITTED BY S. I. HAYAKAWA, EDITOR OF ETC., CHICAGO, ILL.

ETC.: A Review of General Semantics,
Chicago, Ill., November 16, 1952.

Mr. Philip Perlman,
President's Commission on Immigration and Naturalization,
Executive Offices, Washington 25, D. C.

My Dear Mr. Perlman: The enclosed is the first half of a long letter I have written to the editor of the Chicago SHIMPO in opposition to the position taken by the Japanese-American Citizens League on the Walter-McCarran Immigration and Nationality Act.

I shall send you the second (and final) installment just as soon as it arrives—probably next Saturday.

Respectfully yours,

S. I. Hayakawa.

Letter to the Editor—Hayakawa's Response to JACL-ADC Officer

(Dr. S. I. Hayakawa in a letter to Mr. Tahei Matsungaga, the local chairman of the JACL-ADC, refused to contribute to the current ADC fund drive because of its support of the McCarran-Walter Immigration and Naturalization Act. This letter was originally printed in the September 13 issue of the Chicago Shimpo. Mr. Richard Akagi's, associate legislative director in the Washington office of the JACL-ADC, answer to Dr. Hayakawa was printed in the October 11 issue of this paper. In the present letter of November 10, to be concluded in next week's issue, Dr. Hayakawa further clarifies his stand. Because of widespread interest these letters have caused, we are devoting more space than usual to this column.—Editor.)

Sirs: The President's Commission on Immigration and Naturalization has now held hearings on repeal or modification of the Walter-McCarran Immigration and Nationality Act in the principal cities of the United States. Ninety to 95 percent of the testimony has been against the act, in whole or in its major provisions. Both major political parties in the presidential campaign have promised drastic changes in it. General Eisenhower said, "The whole world knows that to these shores came oppressed peoples from every land under the sun * * * Yet to the Czech, the Pole, the Hungarian who takes his life in his hands and crosses the frontier tonight * * * this ideal that beckoned can be a mirage because of the McCarran Act * * * The McCarran Immigration Act must be rewritten" (New York Times, October 18, 1952). Governor Stevenson, during the campaign, pointedly avoided being photographed with Representative Francis Walter. President Truman stated, "The discrimination [the McCarran Act] contained against people from Southern and Eastern Europe alone would have been enough to merit a veto. But in addition to that, this bill made second-class citizens out of those who had been naturalized; and it established cruel and restrictive procedures against them" (New York Times, October 18).

Furthermore, the entire October issue of the Bulletin of Atomic Scientists is devoted to condemning the McCarran Internal Security Act of 1950 and the McCarran Immigration Act of 1952; it criticizes especially the "clauses bearing on the entry into the United States of foreign scientists, scholars, and educators"; it charges that the two McCarran Acts "alienate our allies, comfort our enemies, enfeeble our free institutions, and traduce the principles of liberty. In later testimony, Dr. Vanneval Bush, wartime director of the Office of Scientific Research and Development, sharply criticized the act as an impediment to international scientific cooperation and pleaded for the relaxation of present provisions (New York Times, October 30). Also on record against the act are the National Council of Churches of Christ, the National Lutheran Council, the American Friends Service Committee, the Unitarian Service Committee, the National Council of Catholic Charities, the CIO, the NAACP, the Order of the Sons of Italy in America, the B'nai B'rith, the National Congress of American Indians, to name only a few.

Readers of the Japanese-American press may well wonder why there is all this opposition to the McCarran Act in view of the JACL's vehement declarations that the act is a milestone of liberal progress. The answer is simple. The

Walter-McCarran Act is not what the JACL has described it to be—not even with respect to the provision enabling the naturalization of Issei.

What the McCarran Act does—and this is why there is so much opposition to it from all quarters—is to change the meaning of naturalization. From now on, the naturalized citizen is indeed to be, as Mr. Truman said, a "second-class citizen" with new discriminatory provisions against him written into the law. These provisions will operate both against those who will be naturalized under the new law and against those who already are naturalized under the old. It is no wonder that people who have been correctly informed are seriously concerned. Let me be specific:

(1) The McCarran Immigration Act. [sec. 340 (a)] greatly enlarges the grounds for denaturalization. Formerly, the main reason for denaturalization was fraud in obtaining naturalization—"fraud" being a clearly defined legal concept. Under the new law, the basis for denaturalization has been changed to "concealment of material fact" or "willful misrepresentation." Decision as to what constitutes a violation of these terms is left to administrative discretion; even technical errors on the part of the immigration service in the admission of an alien can be made grounds for later denaturalization [sec. 211 (a) (1) (2)]. Even the necessary misrepresentations made by a man fleeing for his life from religious or political persecution become punishable under these terms [sec. 212 (a) (19)].

(2) Grounds for deportation have been greatly enlarged and also made retroactive [sec. 241]. Persons can be deported for things they haven't yet done if in the opinion of the attorney general they have "a purpose to engage" in activities "prejudicial to the public interest." Technical defects in entry can also be made grounds for deportation, as can membership in a subversive organization, even if the individual did not know it was a subversive or even if it was taken over by subversive elements without his knowledge after he joined [sec. 241 (a) (6) (c) (i–iv)]. This last provision can be especially rough on Issei who, 20 or more years ago, joined Japanese social clubs which were later taken over by pro-militarist elements.

(3) The McCarran Act does not "reinstate the Administrative Procedure Act," Mr. Richard Akagi's contentions to the contrary. Indeed, in spite of a nod in that direction [sec. 236 (a)], the main effect of the act is to circumvent the Administrative Procedure Act by giving legal finality to administrative decisions.

(4) Under the new law, naturalized citizens traveling or residing abroad will have fewer protections against denaturalization proceedings taken against them in absentia [sec. 342, 360]. It will become possible for a naturalized citizen abroad to be deprived of his citizenship without his knowledge.

STATEMENT BY PETER N. MONTZOROS FOR THE THIRTEENTH AHEPA DISTRICT (COMPRISING THE STATES OF ILLINOIS, WISCONSIN, AND MISSOURI)

As the pioneer country of immigration, the United States has always been a leader and guide in this field.

In my judgment, gentlemen, your study of our immigration and naturalization problems constitutes one of the great national problems confronting America today. My presence today before you is primarily made in behalf of the Greek people who have so valiantly fought and continue to fight the good cause of the democracies.

It is my considered opinion that the most unfair and most discriminatory phase of the present law is that section which deals with the national origins quota. If this is not altered and the unused quotas are pooled for the benefit of the Greek nationals none of these worthy refugees from communism and displaced persons will have an opportunity to come to America and begin anew a life dedicated to the American way of life. It is therefore imperative that in our fight with communism, especially in those countries which are plagued with an overpopulation problem, that we overhaul the national origins quota system which is based on a discredited racial theory that persons of Anglo-Saxon birth are superior to other nationalities and therefore better qualified to be admitted into the United States and to become Americans.

Your careful study of this portion of our immigration laws undoubtedly will induce you to recommend to the next Congress its speedy revision, allowing a more favorable yearly quota for the Greek nationals. Furthermore, the admittance to America of such able-bodied, honest, and industrious people will alleviate our own ever-present shortage of labor.

Other objectionable phases of the law in its present form, in my opinion, are—

(1) The lack of a uniform review procedure for the decisions of our consular officers.

(2) The lack of full and adequate appeals and review procedures in exclusion and deportation cases.

(3) The intolerable distinctions between native-born and naturalized American citizens.

(4) The application of the penalty of deportation on a retroactive basis.

Europe is today the most densely populated of all the continents and, with exception of Russia, it is almost as thickly settled as India. One of the challenges facing us in this postwar world is the relocation of unsettled peoples in new homes—refugees, displaced persons, and unemployed nationals alike. In Greece, the unemployed, the refugees, and the displaced persons continue to be one of the major factors in achieving full postwar recovery.

Mr. Chairman and members of the Commission, I urge each and every one of you to do your utmost in your recommendations to Congress to eliminate this evil by revising our laws so that our fight against communism will bear the fruit of labors. I bid you Godspeed in your efforts.